

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, February 8, 2010, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

Mayor Crabb requested that the consent agenda be amended by adding the following items:

- Excavator License: Yohn Co., Clear Lake, (renewal).
Amusement License: Surf Ballroom, Clear Lake, (renewal).

Callanan moved the agenda be approved, seconded by Nelson. Passed Unanimously.

Callanan moved to approve the consent agenda, seconded by Furleigh:

- A. Minutes – January 18, 2010.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
 - Tree Trimmer's License: Wilson Custom Tree, Cresco; Keeling Tree Service, Mason City; Cutting Edge Tree Service, Mason City; Clapper Tree Service, Clear Lake (renewals).
 - Excavator's License: Brian Nettleton Excavating, Joice (renewal).
 - Solid Waste Hauler's License: Waste Management, Mason City (renewal).
 - Liquor License: Class B Native Wine Permit (WBN) with Sunday Sales, Lake Coffee & Ice Cream, Clear Lake, (renewal).

Roll Call: Ayes: Monson, Furleigh, Callanan, Nelson. Abstain: Cooney, due to conflict of interest.

Mayor Crabb announced that it was the time and place for the citizen's forum. There was no citizen comment.

Scott Flory, City Administrator, reviewed the Titan Pro SCI Development Project and stated that on August 31, 2009, the Council approved a Letter of Intent with Titan Pro SCI, which outlined, the various incentives proposed to be provided by the City to the Company, regarding the construction of a new 70,000 sq. ft. building. He noted that the total cost of the project is roughly \$3.2 million and that the project is located on lots 4 & 5 in the "Larry Luker Memorial Industrial Park" and that the company will initially employ 20 to 25 full-time employees with additional part-time and seasonal positions. He further noted that the development agreement would provide for a 10-year property tax rebate in an aggregate amount not to exceed \$800,000; land contribution; main line gas & electric utility extensions; and water & sanitary sewer service lateral extensions. He stated the Council could now act on the Resolution setting the date for a public hearing on the proposed development agreement to be held March 1st at 6:30 p.m. Furleigh introduced the following **Resolution** and moved its adoption, seconded by Cooney. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-09

A RESOLUTION TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH TITAN PRO SCI, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS IN AN AMOUNT NOT TO EXCEED \$800,000

Flory reviewed the 2011 Fiscal Year Budget proposal. He stated that the tax rate for FY 11 would remain unchanged at \$10.0487 for the 5th consecutive year. He noted the budget reflects total expenditures of roughly \$12.4 million. He further noted the Council would need to set the date for the statutorily required public hearing on the proposed FY 11 budget at its next regular council meeting.

Flory reviewed Kluever's 1st Residential Subdivision. He stated that the necessary public infrastructure improvement extensions have now been completed, however there does remain a single sanitary sewer service lateral which has an estimated construction value of less than \$5,000. He stated that the City could now accept the subdivision improvements and release all the improvement security except for \$5,000 until such time as the sewer service lateral is replaced this spring. Callanan introduced the following **Resolution** and moved its adoption, seconded by Furleigh. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEAR LAKE, ACCEPTING THE OFFER OF DEDICATION FOR STREET RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC USE AS SHOWN ON THE FINAL PLAT, ACCEPTING THE PUBLIC IMPROVEMENTS AND STREET FOR MAINTENANCE FOR KLUEVER'S 1ST RESIDENTIAL SUBDIVISION

John Marino, Building Official, reviewed proposed amendments to the zoning ordinance. He stated that the first proposed change involves the size of accessory garages in rear yards and that the Planning & Zoning Commission is proposing that the size allowed be increased from 650 square feet in area to 1,000 square feet in area. He further stated that the second change is to modify the definition of an electronic sign to read "An electronic sign is not considered to be an animated sign". He noted that the proposed changes are a result of a review of the current Zoning Ordinance by the Planning and Zoning Commission and that the Commission unanimously approved the changes. Mayor Crabb asked if anyone in the audience wished to offer any public comment on the proposed Ordinance prior to consideration on 1st reading. Hearing no public comment, Monson introduced **Ordinance #791** "AN ORDINANCE AMENDING AN ORDINANCE OF THE CITY OF CLEAR LAKE, IOWA, NOW KNOWN AS ZONING REGULATIONS, CHAPTER 165 OF CLEAR LAKE MUNICIPAL CODE BY CHANGING THE PROVISIONS OF SECTIONS 165.32 (E) AND 165.32 (F) TO CHANGE CERTAIN MAXIMUM REAR YARD COVERAGE AND BY CHANGING THE PROVISIONS OF SECTION 165.35 (1) BY CHANGING THE DEFINITION OF ELECTRONIC SIGN" (1st reading), seconded by Furleigh. Roll Call: Passed Unanimously.

Flory reviewed financial issues for the proposed 2010 Water Distribution System Project. He stated that the City will be "internally" financing some of the Project costs and is required to make a declaration of the intent to reimburse itself under the Internal Revenue Code. Callanan introduced the following **Resolution** and moved its adoption, seconded by Nelson. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 10-11

A RESOLUTION RELATING TO FINANCING OF THE 2010 WATER DISTRIBUTION SYSTEM IMPROVEMENT PROJECT BY THE CITY OF CLEAR LAKE, IOWA; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

Mayor Crabb stated that he and Council Member Callanan recently returned from Washington D.C. along with officials from the Clear Lake and Mason City Chambers of Commerce and City officials from the City of Mason City on an advocacy trip. He advised of meetings with US Chamber officials and members of Iowa's Federal delegation.

Joe Weigel, Public Works Director, updated the Council on the 109 N 8th Street Demolition Project.

Flory informed the Council that the interviews for the Water Department Superintendent would be conducted on February 22nd. He also updated the Council regarding the interview process for the CDBG Disaster Recovery Grant.

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

NEXT REGULAR MEETING – FEBRUARY 15, 2010

/S/ Nelson P. Crabb
Nelson P. Crabb, Mayor

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk