



# CITY OF CLEAR LAKE

15 North 6th Street • P.O. Box 185 • Clear Lake, IA 50428  
Phone (641) 357-5267 • Fax (641) 357-8711

Mayor  
NELSON P.  
CRABB

January 14, 2011

HONORABLE MAYOR & CITY COUNCIL MEMBERS:

City  
Administrator  
SCOTT  
FLORY

The next meeting of the Clear Lake City Council is scheduled for Monday, January 17, 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. Lady of the Lake lease agreement. In March of 2007, the City entered into a 3-year lease agreement with the current owners of the Lady of the Lake to utilize a specific amount of Lake shoreline under the City's control. The lease expired in 2010, but, in effect, has continued since that time as an implied contract. It is proposed to renew the previous lease agreement between the City and the Lady of the Lake for a 3-year term once again, under all the same earlier conditions and requirements. The matter would require notice and hearing.

SHANE W.  
COONEY  
Ward 1

ITEM #6B. NICC&M Property Tax Rebate Agreement. The City previously approved a property tax rebate with the North Iowa Cultural Center & Museum (NICC&M) in January of 2009. The Development Agreement provided for a 3-year property tax rebate. The final rebate payment is set to occur on December 1st of 2011.

TONY  
NELSON  
Ward 2

The NICC&M Board of Directors has expressed its need to have the property tax rebate Development Agreement renewed for another 3-year term. Property tax repayments occur semi-annually on June 1st & December 1st. Consequently, as the Council considers its 2012 fiscal year budget, unless the Agreement is renewed, there would be only the December 1st of 2011 repayment in the FY 12 municipal budget.

BEN  
FURLEIGH  
Ward 3

MIKE  
CALLANAN  
At Large

The semi-annual property tax repayments are currently roughly \$5,000 each. So, it is anticipated that over the life of the initial rebate agreement, approximately \$31,000 will have been rebated back to the NICC&M. In order to entered into an additional Agreement, the Council will need to publish notice and conduct a hearing on the proposal.

TERRY  
UNSWORTH  
At Large

ITEM #6C. 19 S. 3rd Street – City/CL VFW Parking Lot Agreement. Enclosed in your packet is a copy of a proposed Development Agreement between the City and the CL VFW Saratoga Post #4868 concerning the redevelopment of 19 S. 3rd Street, known locally as the former Antique Alley property (including the adjacent grass lot). The CL VFW recently acquired title to the property, at a cost of approximately \$250,000. Representatives of the CL VFW previously approached the City Council with a request for the City to redevelop the site into a “public” parking lot. Following that request to the



Council, staff was directed to work with the CL VFW on a proposed Development Agreement.

Under the terms of the proposed Development Agreement, the City would be responsible for all costs, up to \$250,000, associated with building demolition, utility abandonment, environmental work, site preparation, and parking lot construction. Any costs above that amount would be shared equally between the City and the CL VFW. The City would be responsible for all maintenance of the parking lot under the same parameters as any other City-owned parking lot.

The site is located in the City's Downtown Urban Renewal Area. Both the Urban Renewal Plan and the Clear Lake Downtown Redevelopment Plan identify additional parking as a priority.

The initial term of the Development Agreement is for a period of 50 years, which corresponds to the anticipated life cycle of the anticipated improvements. The Council will consider a Resolution to set the date for a public hearing, to be held on February 7th, regarding the proposed Development Agreement between the City and the CL VFW.

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)  
Gary Bright, Director, CL Chamber (C/A only – via e-mail)  
Dave Parks, CL VFW (C/A only – via e-mail)  
Jeff Nicholas, NICC&M (C/A only – via e-mail)

TENTATIVE AGENDA  
CLEAR LAKE CITY COUNCIL  
CITY HALL – 15 N. 6<sup>TH</sup> STREET  
MONDAY, JANUARY 17, 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 – January 3 (regular meeting), 11 and 12 (workshops), 2011.
  - B. Approval of the bills & claims.
  - C. Licenses & Permits:
    - Liquor License: Class C Liquor License (LE) with Carryout Wine and Carryout Beer, Fareway, (renewal).
    - Excavator's License: Charlson Excavating, Clear Lake, (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. Lady of the Lake – lease renewal:
    - Review of proposal, Scott Flory, City Administrator.
    - **Motion** to approve **Resolution #11-02**, "A Resolution setting the date for a public hearing on renewal of a proposed lease agreement between the City of Clear Lake, Iowa, and the Lady of the Lake Inc."
    - Discussion and consideration of **Motion** by City Council.
  - B. Property Tax Rebate – North Iowa Cultural Center & Museum::
    - Introduction by Scott Flory, City Administrator.

- Review of request, Jeff Nicholas, President NICC&M.
- **Motion** to approve **Resolution #11-03**, “To fix a date at which it is proposed to approve a Development Agreement with the North Iowa Cultural Center & Museum, including annual appropriation Tax Increment Payments in an aggregate amount not to exceed \$35,000.”
- Discussion and consideration of **Motion** by City Council.

C. 19 S. 3<sup>rd</sup> Street – Parking Lot Improvement Project:

- Introduction by Scott Flory, City Administrator.
- Review of request, Dave Parks, CL VFW.
- **Motion** to approve **Resolution #11-04**, “A Resolution of the City Council of the City of Clear Lake, Iowa, declaring the intent of the City Council to consider a Development Agreement with the Clear Lake VFW Saratoga Post #4868 for the purpose of constructing a public parking lot; and setting the date for a public hearing thereon.”
- Discussion and consideration of **Motion** by City Council.

7. Chief of Police’s Report:

8. Mayor’s Report:

9. Public Works Director’s Report:

10. City Administrator’s Report:

- Set date for additional City Council budget workshop(s).

11. City Attorney’s Report:

- Update concerning Sunset school case.

12. Other Business:

13. Adjournment.

NEXT REGULAR MEETING – FEBRUARY 7, 2011