

REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, January 17, 2011, 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:

Liquor License: Special Class C Liquor License (B/W) (Beer/Wine), Eleanor Rigby's, 6-month license (new).

Unsworth moved to agenda be approved, seconded by Cooney. Passed Unanimously.

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

- 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).

Roll Call: All Ayes.

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 a proposal to renew a lease agreement with the current owners of the Lady of the Lake. He stated that in March of 2007 the City entered into a 3-year lease agreement with the current owners of the Lady of the Lake. He noted that the lease expired in 2010, but in effect, has continued since that time as an implied contract. He further stated that the proposal is to renew the lease agreement for a 3-year term once again, under the same earlier conditions and requirements and that the matter would require a public hearing and a notice of the hearing to be published in the newspaper. Unsworth 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. 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."

Flory reviewed the original property tax rebate agreement with the North Iowa Cultural Center & Museum (NICC&M) and stated that the agreement provided for a 3-year property tax rebate and the final rebate payment is set to occur on December 1, 2011, so there would be only one semi-annual payment in the upcoming FY 12 budget which is currently being prepared. He stated that the NICC&M Board of Directors has expressed its need to have the property tax rebate Development Agreement renewed. He further stated that the NICC&M is requesting the agreement be renewed for a 5-year term and that the Development Agreement would provide property tax incentives to NICC&M in the form of annual appropriation in an amount not to exceed \$59,000.

Jeff Nicholas, President NICC&M, and Laurie Lietz, Executive Director, NICC&M, updated the Council on how the funds from the City have been used to make necessary capital improvements to the Surf Ballroom. Both thanked the Council for its continued support of the NICC&M.

Nelson moved that **Resolution** #11-03 be approved and include a 5-year term agreement and a not-to-exceed amount of \$59,000, seconded by Furleigh. Roll Call: Ayes: Nelson, Callanan, Furleigh, & Unsworth. Abstain: Cooney due to conflict of interest as he is a Board Member of the NICC&M. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 11-03

A RESOLUTION TO FIX A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH NORTH IOWA CULTURAL CENTER & MUSEUM, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS IN AN AMOUNT NOT TO EXCEED \$59,000

Flory reviewed a proposed Development Agreement between the City and the CL VFW Saratoga Post 4868 concerning the redevelopment of 19 S. 3rd Street, the former Antique Alley property, and stated that the CL VFW recently acquired the property at a cost of approximately \$250,000. He stated that under the terms of the proposed Parking Lot 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. He noted that any costs above that amount would be shared equally between the City and the CL VFW. He further noted the initial term of the agreement is for a period of 50 years, which corresponds to the anticipated life cycle of the anticipated improvements. Unsworth 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. 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

Furleigh moved to schedule the next municipal budget workshop for Monday, January 24th at 6:15 p.m., seconded by Callanan. Passed Unanimously.

City Attorney Charlie Biebesheimer, gave an update regarding the court case involving the Sunset School property. He stated that a court date has not been scheduled yet and that he would update the Council again once the date is scheduled.

There being no further business before the Council, Furleigh moved to adjourn at 7:14 p.m., seconded by Nelson. Passed Unanimously.

NEXT REGULAR MEETING – MONDAY, FEBRUARY 7, 2011

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

ATTEST:

/S/ Jennifer Larsen
Jennifer Larsen, City Clerk