

**MINUTES OF THE OCTOBER 1, 2012 MEETING
OF THE HUMBOLDT CITY COUNCIL**

The Humboldt City Council met in regular session on Monday, October 1, 2012 in the Council Chambers of the Humboldt Municipal Building. Mayor Walter Jensen called the meeting to order at 5:30 PM. Council Members present: Goodell, Boomgarden, and Rusher. Absent: Sleiter and Hadar (arrived at 5:46 PM).

Motion by Rusher, Second by Goodell to approve the agenda as printed. (3) Ayes, motion carried.

Motion by Boomgarden, Second by Goodell to approve the minutes of the September 17, 2012 regular Council meeting. (3) Ayes, motion carried.

Motion by Goodell, Second by Rusher to approve the Treasurer's Monthly Investment Report. (3) Ayes, motion carried.

Motion by Boomgarden, Second by Rusher to approve the September claims. (3) Ayes, motion carried.

Police Officer Brad Thiele presented certificates to Sheriff Dean Kruger and City Administrator Aaron Burnett issued by the Office of the Secretary of Defense recognizing each as a Patriotic Employer for their support of his National Guard responsibilities. Officer Thiele is a member of the 186th Military Police Division of the Army National Guard, based in Johnston, Iowa.

Motion by Goodell, Second by Boomgarden to approve the renewal of a Class C Liquor License, Sunday Sales Privilege, and Outdoor Service Privilege for Dennis D. McCullough, d/b/a Prowler. (3) Ayes, motion carried.

Motion by Rusher, Second by Goodell to approve the renewal of a Class B Native Wine Permit for Deb Trammell, d/b/a Sisters Home Style Entrees. (3) Ayes, motion carried.

Humboldt Community Schools Superintendent Greg Darling addressed the Council regarding a request from the City to the Iowa Department of Transportation for traffic signals at the intersection of Wildcat Road and Highway 169. Although the school district has taken several steps to alleviate congestion at the intersection, such as scheduling staggered dismissal times and a crossing guard, there are still problems with the traffic in the area. The IDOT has agreed to allow the placement of traffic signals at the intersection, at the City's cost. There are some grant funds available to assist with this cost.

Darling also asked for volunteers from the Council to serve on a Facility Committee to determine the future use of the former middle school building.

Motion by Rusher, Second by Boomgarden to adjourn the City Council Meeting at 5:44 PM. (3) Ayes, motion carried.

Motion by Boomgarden, Second by Rusher to come to order as Drainage District 13A Trustees at 5:44 PM. (3) Ayes, motion carried.

This being the time and place for the scheduled Public Hearing to consider the approval of the Engineer's Report on the Annexation of Lands into Drainage District 13A, Mayor Jensen opened the Public Hearing at 5:45 PM.

Council Member Hadar joined the meeting at 5:46 PM.

The City Administrator explained that the purpose of the hearing is to consider the annexation of several parcels of land into the drainage district. Some of the parcels were omitted by clerical errors, and engineers have recently determined that a large section of land north of the City drains into the drainage district as well.

Rick Hopper of Jacobson-Westergard Engineers reviewed the map of the drainage district, pointing out the areas to be annexed. He explained that these areas need to be annexed into the district so that repair and maintenance costs can be fairly assessed to all parcels utilizing it. The annexation is the first step in the assessment process; next, the area will be reclassified to determine to what extent each parcel benefits from the drainage district. Assessments will be based on the hard surface area of each parcel as well as the amount of benefit realized from the drainage. This information is determined in the reclassification.

Deb Schultz of Dakota City questioned why there are no Dakota City residents or council members on the Board of Trustees for Drainage District 13A. Hopper stated that the Humboldt City Council are the trustees, just as the Humboldt County Board of Supervisors are the trustees for DD 80, located in Dakota City.

Deb Schultz and Steven Ehrhardt of Dakota City asked questions regarding the benefits Dakota City residents are seeing from the DD 13A improvements. Hopper explained that there will be two reclassifications for DD 13A, one for work done so far and one for future work. The work done in DD 80 in Dakota City removed a large portion of land from DD 13A, but prior to that project, DD 80 drained into DD 13A. Therefore, repairs done to DD 13A prior to the DD 80 project benefitted Dakota City properties.

Gary and Russell Jensen asked about a tile that runs east and west from the former Agrico (Frit) site, which is now the Humboldt Business Park. Hopper explained that the tile is neither city- nor county-owned, and that he was unsure of where it came from or where it empties.

Mark Daggy asked about the locations of City storm sewers and DD 13A tiles, and also asked if there were any plans for the construction of new tiles for DD 13A. Hopper stated that no new construction is planned.

Richard Hegna of Dakota City asked what the total assessment would be; Hopper estimated that it would be \$1 million or more.

The Mayor read a written comment from Russell Jensen regarding tile coming from the Humboldt Business Park. The comment was placed on file with the City Clerk.

There being no more comments or objections on the Engineer's Report on the Annexation of Lands into Drainage District 13A, Mayor Jensen closed the Public Hearing at 6:21 PM.

Motion by Rusher, Second by Boomgarden to approve the following proposed Resolution No. DD 2012-03: "A RESOLUTION APPROVING THE ENGINEER'S REPORT ON THE ANNEXATION OF ADDITIONAL LANDS INTO DRAINAGE DISTRICT."

Roll Call Vote: Ayes – Goodell, Boomgarden, Rusher, and Hadar. Motion carried.

Motion by Hadar, Second by Boomgarden to adjourn the session of the Drainage District 13A Trustees at 6:22 PM. (4) Ayes, motion carried.

Motion by Rusher, Second by Hadar to reconvene as the Humboldt City Council at 6:22 PM. (4) Ayes, motion carried.

This being the time and place for the scheduled Public Hearing on the proposed Amendment No. 6 to the Northside Urban Renewal Plan in the City of Humboldt, State of Iowa, Mayor Jensen opened the Public Hearing at 6:23 PM.

The City Administrator reported that a consultation was held as required with the affected taxing entities to discuss the proposed amendment, and that no written recommendations were received.

He further stated that this amendment to the Northside Urban Renewal Plan will facilitate several projects, including the Development Agreement with Jet Co., Inc. and JC 2, LLC, the Humboldt Business Park, and future water projects and development agreements. This amendment adds no additional land to the urban renewal area.

There were no further comments from the City Administrator, Mayor or Council, and no written comments or objections were received. There were no comments or objections from the general public in attendance.

There being no more comments or objections on the proposed Amendment No. 6 to the Northside Urban Renewal Plan in the City of Humboldt, State of Iowa, Mayor Jensen closed the Public Hearing at 6:24 PM.

Motion by Rusher, Second by Hadar to approve the following proposed Resolution No. 2012-116: "A RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AND ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 6 TO THE NORTHSIDE URBAN RENEWAL PLAN."

Roll Call Vote: Ayes – Boomgarden, Rusher, Hadar, and Goodell. Motion carried.

This being the time and place for the scheduled Public Hearing on the matter of the proposal to approve and authorize execution of a Development Agreement by and between the City of Humboldt and Jet Co., Inc. and J.C. 2, LLC, Mayor Jensen opened the public hearing at 6:25 PM.

The City Administrator reported that Jet Co. is completing a substantial improvement to their building that will allow increased production and more employees. The total benefit received is not to exceed \$75,000, and this tax rebate will be paid through a sliding scale from 100% to 20% over five years on the incremental value added by the construction of the new addition.

There were no further comments from the City Administrator, Mayor or Council, and no written comments or objections were received. There were no comments or objections from the general public in attendance.

There being no more comments or objections on the matter of the proposal to approve and authorize execution of a Development Agreement by and between the City of Humboldt and Jet Co., Inc. and J.C. 2, LLC, Mayor Jensen closed the Public Hearing at 6:26 PM.

Motion by Rusher, Second by Goodell to approve the following proposed Resolution No. 2012-117:
"A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUMBOLDT AND JET CO. INC. AND J.C. 2, LLC"

Roll Call Vote: Ayes – Rusher, Hadar, Goodell, and Boomgarden. Motion carried.

This being the time and place for the scheduled Public Hearing on the disposition by sale of public property (407 8th Street North, Humboldt, Iowa), Mayor Jensen opened the Public Hearing at 6:26 PM.

The City Administrator reported that the City initially received two offers for the property located at 407 8th Street North, which was turned over to the City after it fell into severe disrepair. The two parties have now come to an agreement and will split the property after the sale. The offer is for \$8,000 for the land after the building is demolished by the City. The selling price is expected to cover the cost of the building's demolition.

There were no further comments from the City Administrator, Mayor or Council, and no written comments or objections were received. There were no comments or objections from the general public in attendance.

There being no more comments or objections on the disposition by sale of public property (407 8th Street North, Humboldt, Iowa), Mayor Jensen closed the Public Hearing at 6:28 PM.

Motion by Rusher, Second by Goodell to approve the following proposed Resolution No. 2012-118:
"A RESOLUTION ACCEPTING AN OFFER TO PURCHASE THE PROPERTY DESCRIBED AS: THE SOUTH 65 FEET OF LOT 4 IN BLOCK 63, ORIGINAL TOWN, CITY OF HUMBOLDT, HUMBOLDT COUNTY, IOWA, COMMONLY KNOWN AS 407 8TH STREET NORTH."

Roll Call Vote: Ayes – Hadar, Goodell, Boomgarden, and Rusher. Motion carried.

This being the time and place for the scheduled Public Hearing on the disposition by sale of public property (a portion of vacated 10th Avenue North, Humboldt, Iowa), Mayor Jensen opened the Public Hearing at 6:28 PM.

The City Administrator reported that the City has received an offer to purchase a portion of vacated 10th Avenue North. The property has been maintained for many years by the abutting property owners. The adjacent lot has been sold, and the new owners would like to purchase the land. The land is of no value to the City, but there is a storm sewer on the property for which an easement will be necessary. The offer can be accepted pending the attainment of the utility easement.

There were no further comments from the City Administrator, Mayor or Council, and no written comments or objections were received. There were no comments or objections from the general public in attendance.

There being no more comments or objections on the disposition by sale of public property (a portion of vacated 10th Avenue North, Humboldt, Iowa), Mayor Jensen closed the Public Hearing at 6:31 PM.

Motion by Goodell, Second by Boomgarden to approve the following proposed Resolution No. 2012-119: “A RESOLUTION APPROVING THE VACATION OF A PORTION OF PLATTED TENTH AVENUE NORTH AND ACCEPTING AN OFFER BY JIMMY NEWTON AND JANICE NEWTON TO PURCHASE SAID PROPERTY WHICH IS DESCRIBED AS: A PARCEL OF LAND IN THE CITY OF HUMBOLDT BEING 82.5 FEET NORTH AND SOUTH BY 165 FEET EAST AND WEST LOCATED BETWEEN LOT 5, BLOCK 32, SECOND COLLEGE ADDITION AND LOT 8, BLOCK 21, SECOND COLLEGE ADDITION, HUMBOLDT COUNTY, IOWA, ORIGINALLY PLATTED AS THE WEST 165 FEET OF 10TH AVENUE NORTH.”

Roll Call Vote: Ayes – Goodell, Boomgarden, Rusher, and Hadar. Motion carried.

This being the time and place for the scheduled Public Hearing to review bids received for the proposed 2012 Street Maintenance Project, Mayor Jensen opened the Public Hearing at 6:32 PM.

The City Administrator reported that one bid was received for the project, from Blacktop Service in the amount of \$134,779.20. The project includes the replacement of asphalt and base next to NEW Cooperative and new curbing in that area to shore up the asphalt edge. In addition, it includes the asphalt replacement over the culverts on 8th Avenue North. The Engineer’s Opinion of Probable Cost for the project was \$119,200.00.

There were no further comments from the City Administrator, Mayor or Council, and no written comments or objections were received. There were no comments or objections from the general public in attendance.

There being no more comments or objections on the bids received for the proposed 2012 Street Maintenance Project, Mayor Jensen closed the Public Hearing at 6:34 PM.

Motion by Boomgarden, Second by Hadar to approve the following proposed Resolution No. 2012-120: “A RESOLUTION ACCEPTING THE BID AND AWARDING THE CONTRACT FOR THE 2012 HUMBOLDT STREET MAINTENANCE PROJECT.”

Roll Call Vote: Ayes – Boomgarden, Rusher, Hadar, and Goodell. Motion carried.

Motion by Boomgarden, Second by Goodell to approve the following proposed Resolution No. 2012-121: “A RESOLUTION APPROVING PAY ESTIMATE NO. 3 FROM INDUSTRIAL PROCESS TECHNOLOGY, INC. OF FARGO, NORTH DAKOTA IN THE AMOUNT OF \$243,133.65 FOR THE 2012 HUMBOLDT WATER TREATMENT PLANT IMPROVEMENT PROJECT.”

Roll Call Vote: Ayes – Rusher, Hadar, Goodell, and Boomgarden. Motion carried.

Motion by Rusher, Second by Goodell to approve the third and final reading of the following proposed Ordinance: “AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBOLDT, IOWA BY AMENDING CHAPTER 169, SECTION 10 PERTAINING TO OFF-PREMISES SIGNS;” and to direct the City Clerk to publish the aforementioned Ordinance as Ordinance No. 2012-04.

Roll Call Vote: Ayes – Hadar, Goodell, Boomgarden, and Rusher. Motion carried.

Other Items Discussed: City Administrator – Reported that MidAmerican Energy has been billed for repairs to City water mains damaged by its boring contractor. He also reported that the lot auction at Eagle Ridge was a success – eight of the nine lots available were sold. Finally, he reported that the City employee health insurance premiums have decreased due to a few changes in the provisions of the policy. City Clerk – Reminded residents that the first burn day will be October 20th if the burn ban is lifted by then; brush pickup will be the week of October 22.

Motion by Goodell, Second by Sleiter to schedule Monday, October 15, 2012 at 5:30 PM as the date and time for the next regular meeting of the Humboldt City Council and to adjourn this session at 6:39 PM. (4) Ayes, motion carried.

Walter Jensen, Mayor

Attest: _____
Gloria J. Christensen, City Clerk