

## MINUTES OF THE FEBRUARY 5, 2024 MEETING OF THE HUMBOLDT CITY COUNCIL

The Humboldt City Council met in regular session on Monday, February 5, 2024 in the Council Chambers of the Humboldt Municipal Building. Mayor Daniel Scholl called the meeting to order at 5:30 PM. Council Members present: Goodell, Sleiter, Dominick, Harklau, and Whittlesey (via telephone).

Motion by Dominick, Second by Goodell to approve the following Consent Agenda items: 1) the agenda as printed; 2) the minutes of the January 15, 2023 regular Council meeting; 3) the January claims; 4) the January Investment Report; 5) the January Treasurer's Report; and 6) renewal of a Class B Retail Alcohol License for DOLGENCORP, LLC d/b/a Dollar General #8761. (5) Ayes, motion carried.

The City Administrator reviewed his Council Report.

Tim McCartan of T.P. Anderson & Company, P.C. presented an overview of the Fiscal Year 2022-2023 Audit Report. No instances of non-compliance with respect to financial statements were identified, and the auditors expressed unmodified opinions on the financial statements, which were prepared on the basis of cash receipts and disbursements (non-GAAP).

Motion by Goodell, Second by Sleiter to approve the FY 2022-2023 Audit Report. (5) Ayes, motion carried.

Nick Frederiksen of ISG provided a review of the current and upcoming projects, including the Eagle Ridge Trail and Pedestrian Bridge project, the construction of the Three Rivers Industrial Park, the Sumner Avenue Hill Improvement Project, the Sumner Avenue Hill lighting project, hydraulic water modeling, and ravine, water main, and roadway improvements.

This being the time and place for the scheduled public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$3,800,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 including the Three Rivers Industrial Park – Phase 1 project as authorized in Amendment No. 9 to the Northside Urban Renewal Plan, for essential corporate purposes, Mayor Scholl opened the public hearing at 6:24 PM.

The City Administrator reviewed the terms of the bond issue. A notice of the right to petition for an election was published as required by the Code of Iowa, and the Mayor asked the City Clerk whether any petition had been filed in the Clerk's Office, as contemplated in Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes, and none were made.

There being no more comments or objections on the authorization of a Loan Agreement and the issuance of not to exceed \$3,800,000 General Obligation Capital Loan Notes of the City of Humboldt, State of Iowa for essential corporate purposes, Mayor Scholl closed the public hearing at 6:26 PM.

Motion by Goodell, Second by Dominick to approve the following proposed Resolution No. 2024-10: "A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR

THE ISSUANCE OF NOT TO EXCEED \$3,800,000 GENERAL OBLIGATION CAPITAL LOAN NOTES.”

Roll Call Vote: Ayes – Goodell, Sleiter, Dominick, Harklau, and Whittlesey. Motion carried.

This being the time and place for the scheduled public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$2,300,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 including the Eagle Ridge Nature Trail project as authorized in Amendment No. 9 to the Northside Urban Renewal Plan, for essential corporate purposes, Mayor Scholl opened the public hearing at 6:27 PM.

The City Administrator reviewed the terms of the bond issue. A notice of the right to petition for an election was published as required by the Code of Iowa, and the Mayor asked the City Clerk whether any petition had been filed in the Clerk's Office, as contemplated in Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes, and none were made.

There being no more comments or objections on the authorization of a Loan Agreement and the issuance of not to exceed \$2,300,000 General Obligation Capital Loan Notes of the City of Humboldt, State of Iowa for essential corporate purposes, Mayor Scholl closed the public hearing at 6:28 PM.

Motion by Sleiter, Second by Goodell to approve the following proposed Resolution No. 2024-11: “A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$2,300,000 GENERAL OBLIGATION CAPITAL LOAN NOTES.”

Roll Call Vote: Ayes – Sleiter, Dominick, Harklau, Whittlesey, and Goodell. Motion carried.

This being the time and place for the scheduled public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$260,000 General Obligation Capital Loan Notes, in order to provide funds settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of the City including the current refunding of the City's General Obligation Capital Loan Notes, Series 2015, dated November 20, 2015, for essential corporate purposes, Mayor Scholl opened the public hearing at 6:29 PM.

The City Administrator reviewed the terms of the bond issue. Notice of the proceedings was published as required by the Code of Iowa. The Mayor asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes, and none were made.

There being no more comments or objections on the authorization of a Loan Agreement and the issuance of not to exceed \$260,000 General Obligation Capital Loan Notes of the City of Humboldt, State of Iowa for essential corporate purposes, Mayor Scholl closed the public hearing at 6:30 PM.

Motion by Harklau, Second by Dominick to approve the following proposed Resolution No. 2024-12: “A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR

THE ISSUANCE OF NOT TO EXCEED \$260,000 GENERAL OBLIGATION CAPITAL LOAN NOTES.”

Roll Call Vote: Ayes – Dominick, Harklau, Whittlesey, Goodell, and Sleiter. Motion carried.

This being the time and place for the scheduled public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$125,000 General Obligation Capital Loan Notes, in order to provide funds to pay the costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of Chapter 403 including the Riverfront Improvements project as authorized in Amendment No. 9 to the Northside Urban Renewal Plan, for essential corporate purposes, Mayor Scholl opened the public hearing at 6:31 PM.

The City Administrator reviewed the terms of the bond issue. A notice of the right to petition for an election was published as required by the Code of Iowa, and the Mayor asked the City Clerk whether any petition had been filed in the Clerk's Office, as contemplated in Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes, and none were made.

There being no more comments or objections on the authorization of a Loan Agreement and the issuance of not to exceed \$125,000 General Obligation Capital Loan Notes of the City of Humboldt, State of Iowa for essential corporate purposes, Mayor Scholl closed the public hearing at 6:33 PM.

Motion by Dominick, Second by Sleiter to approve the following proposed Resolution No. 2024-13: “A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$125,000 GENERAL OBLIGATION CAPITAL LOAN NOTES.”

Roll Call Vote: Ayes – Harklau, Whittlesey, Goodell, Sleiter, and Dominick. Motion carried.

This being the time and place for the scheduled public hearing on the authorization of a Loan Agreement and the issuance of not to exceed \$75,000 General Obligation Capital Loan Notes, in order to provide funds to pay costs of the acquisition, construction, improvement and equipping of recreation grounds including a fence project, for general corporate purposes, Mayor Scholl opened the public hearing at 6:34 PM.

The City Administrator reviewed the terms of the bond issue. A notice of the right to petition for an election was published as required by the Code of Iowa, and the Mayor asked the City Clerk whether any petition had been filed in the Clerk's Office, as contemplated in Section 362.4 of the Code of Iowa, and the Clerk reported that no such petition had been filed, requesting that the question of issuing the Notes be submitted to the qualified electors of the City.

The Mayor then asked the Clerk whether any written objections had been filed by any resident or property owner of the City to the issuance of the Notes. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections to the issuance of the Notes, and none were made.

There being no more comments or objections on the authorization of a Loan Agreement and the issuance of not to exceed \$75,000 General Obligation Capital Loan Notes of the City of Humboldt, State of Iowa for essential corporate purposes, Mayor Scholl closed the public hearing at 6:35 PM.

Motion by Whittlesey, Second by Goodell to approve the following proposed Resolution No. 2024-14: “A RESOLUTION INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION FOR THE ISSUANCE OF NOT TO EXCEED \$75,000 GENERAL OBLIGATION CAPITAL LOAN NOTES.”

Roll Call Vote: Ayes – Whittlesey, Goodell, Sleiter, Dominick, and Harklau. Motion carried.

Motion by Harklau, Second by Goodell to approve the following proposed Resolution No. 2024-15: “A RESOLUTION APPROVING DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT FOR \$6,450,000\* (DOLLAR AMOUNT SUBJECT TO CHANGE) GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2024.”

Roll Call Vote: Ayes – Goodell, Sleiter, Dominick, Harklau, and Whittlesey. Motion carried.

Motion by Dominick, Second by Goodell to approve the following proposed Resolution No. 2024-16: “A RESOLUTION APPROVING PAY APPLICATION NO. 17 WITH PETERSON CONSTRUCTION OF WEBSTER CITY, IOWA FOR THE RAW PUMPING AND NUTRIENT REMOVAL IMPROVEMENTS PROJECT IN THE AMOUNT OF \$71,250.00.”

Roll Call Vote: Ayes – Sleiter, Dominick, Harklau, Whittlesey, and Goodell. Motion carried.

Motion by Sleiter, Second by Dominick to approve the following proposed Resolution No. 2024-17: “A RESOLUTION AMENDING THE FISCAL YEAR 2023-2024 BUDGET TRANSFERS.”

Roll Call Vote: Ayes – Dominick, Harklau, Whittlesey, Goodell, and Sleiter. Motion carried.

Motion by Goodell, Second by Dominick to approve the following proposed Resolution No. 2024-18: “A RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON THE PROPOSAL TO ENTER INTO A DEVELOPMENT AGREEMENT WITH HUMBOLDT NORTH APARTMENTS, LLC.”

Roll Call Vote: Ayes – Harklau, Whittlesey, Goodell, Sleiter, and Dominick. Motion carried.

Motion by Sleiter, Second by Harklau to approve the following proposed Resolution No. 2024-19: “A RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS.”

Roll Call Vote: Ayes – Whittlesey, Goodell, Sleiter, Dominick, and Harklau. Motion carried.

Motion by Goodell, Second by Sleiter to approve the following proposed Resolution No. 2024-20: “A RESOLUTION APPROVING A FEE ADJUSTMENT TO THE PROFESSIONAL SERVICES PROPOSAL FOR THREE RIVERS INDUSTRIAL PARK FROM ISG.”

Roll Call Vote: Ayes – Goodell, Sleiter, Dominick, Harklau, and Whittlesey. Motion carried.

Motion by Goodell, Second by Dominick to approve the following proposed Resolution No. 2024-21: “A RESOLUTION APPROVING CONTRACT CHANGE ORDER NO. 1 WITH REDING’S GRAVEL & EXCAVATING OF ALGONA, IOWA FOR THE 5TH AVENUE SOUTHWEST

WATER MAIN IMPROVEMENT PROJECT FOR A NET INCREASE IN CONTRACT PRICE OF \$21,930.81.”

Roll Call Vote: Ayes – Sleiter, Dominick, Harklau, Whittlesey, and Goodell. Motion carried.

Motion by Sleiter, Second by Goodell to approve the following proposed Resolution No. 2024-22: “A RESOLUTION APPROVING PAY APPLICATION NO.2 WITH REDING’S GRAVEL & EXCAVATING OF ALGONA, IOWA FOR THE 5th AVENUE SOUTHWEST WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$26,062.95.”

Roll Call Vote: Ayes – Dominick, Harklau, Whittlesey, Goodell, and Sleiter. Motion carried.

Motion by Goodell, Second by Harklau to approve the following proposed Resolution No. 2024-23: “A RESOLUTION APPROVING PAY APPLICATION NO. 3 WITH REDING’S GRAVEL & EXCAVATING OF ALGONA, IOWA FOR THE 5TH AVENUE SOUTHWEST WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$15,038.98.”

Roll Call Vote: Ayes – Harklau, Whittlesey, Goodell, Sleiter, and Dominick. Motion carried.

Motion by Sleiter, Second by Dominick to approve the following proposed Resolution No. 2024-24: “A RESOLUTION APPROVING PAY APPLICATION NO. 2 WITH J & K CONTRACTING OF URBANDALE, IOWA FOR THE HIGHWAY 169 SANITARY SEWER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$9,544.20.

Roll Call Vote: Ayes – Whittlesey, Goodell, Sleiter, Dominick, and Harklau. Motion carried.

Motion by Harklau, Second by Goodell to schedule Tuesday, February 20, 2024 at 5:30 PM as the date and time for the next regular meeting of the Humboldt City Council and adjourn this session at 6:51 PM. (5) Ayes, motion carried.

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Daniel E. Scholl, Mayor

Attest: \_\_\_\_\_  
Gloria J. Christensen, City Clerk