

MINUTES OF THE DECEMBER 21, 2015 MEETING OF THE HUMBOLDT CITY COUNCIL

The Humboldt City Council met in regular session on Monday, December 21, 2015 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, Sleiter, Scholl, Rusher, and Davis.

Motion by Rusher, Second by Davis to approve the agenda as printed. (5) Ayes, motion carried.

Motion by Sleiter, Second by Goodell to approve the minutes of the December 7, 2015 regular Council Meeting. (5) Ayes, motion carried.

Motion by Rusher, Second by Scholl to approve the October Treasurer's Report. (5) Ayes, motion carried.

Clint Fishel reviewed the PeopleService reports for November. He reported on the status of the water plant renovation project and some new DNR testing requirements. He also reported on some repairs being completed at the wastewater treatment plant and the use of pumps to bypass storm sewers during the recent heavy rains.

Mayor Jensen announced that this was the time and place for the Public Hearing and meeting on the matter of the proposal to approve and authorize a Purchase, Sale and Development Agreement with Berte & Son Ltd., which Agreement includes the potential sale of the City's interest in real property. Mayor Jensen opened the Public Hearing at 5:39 PM.

Interim City Administrator Bill Goldy reviewed the provisions of the proposed Development Agreement. The agreement conveys the undeveloped Cristi Circle, next to Eagle Ridge Drive, to Berte & Son, Ltd. In return, Berte & Son agrees to construct a minimum of two new single-family homes, with a total improvement value of \$500,000. Berte will purchase the property for \$20,000, and the minimum construction improvements will be completed by July 1, 2021. \$15,000 will be refunded back to Berte & Son, Ltd. when the development requirements are met.

The Mayor then asked the Clerk whether any written objections had been filed by any City resident or property owner to the proposed action. The Clerk advised the Mayor and the Council that no written objections had been filed. The Mayor then called for oral objections and none were made. Whereupon, the Mayor declared the time for receiving oral and written objections to be closed.

There being no more comments or objections on the proposal to enter into a Purchase, Sale and Development Agreement with Berte & Son Ltd., which Agreement includes the potential sale of the City's interest in real property, Mayor Jensen closes the Public Hearing at 5:41 PM.

Motion by Goodell, Second by Rusher to approve the renewal of a Class C Liquor License and Sunday Sales Privilege for Roger Sturtz, d/b/a Sundance Lanes. (5) Ayes, motion carried.

Motion by Sleiter, Second by Goodell to approve the renewal of a Class C Liquor License and Sunday Sales Privilege for JOD Inc., d/b/a El Valle Grocery/El Valle Grill, pending certification of dram shop insurance. (5) Ayes, motion carried.

Motion by Davis, Second by Scholl to approve a 5-Day Class C Liquor License for the Humboldt County Memorial Hospital Foundation for its Founders' Night event on January 16, 2016 at the Humboldt County Fairgrounds (effective dates of license are January 14-19, 2016), pending certification of dram shop insurance (5) Ayes, motion carried.

Motion by Sleiter, Second by Goodell to set 5:30 PM on Monday, January 4, 2016 as the time and date to hold a Public Hearing for the purpose of entering into a real estate lease for the following described real estate: A structure resting on portions of lots ten (10) and eleven (11) in block twenty-four (24), Original Town of Humboldt, Iowa, consisting of wood frame construction and colloquially known within the City of Humboldt as the Beck Building. (5) Ayes, motion carried.

The Council discussed the vacation of a utility easement in the Northwest Industrial Park. Hog Slat has applied for a building permit to construct a 10,000 square-foot building over a utility easement which will not be needed.

Motion by Rusher, Second by Sleiter to authorize staff to move forward with the process of vacating the easement running north and south between lots one and four in the Northwest Industrial Park. (5) Ayes, motion carried.

Motion by Sleiter, Second by Rusher to approve the following proposed Resolution No. 2015-118: "A RESOLUTION MAKING A FINAL DETERMINATION ON THE POTENTIAL SALE OF INTEREST IN REAL PROPERTY AND APPROVING AND AUTHORIZING EXECUTION OF A PURCHASE, SALE AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUMBOLDT AND BERTE & SON LTD."

Roll Call Vote: Ayes – Goodell, Sleiter, Scholl, Rusher, and Davis. Motion carried.

Motion by Rusher, Second by Scholl to approve the first reading of the following proposed ordinance: "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBOLDT, IOWA BY AMENDING CHAPTER 10, PERTAINING TO THE URBAN REVITALIZATION AREA FOR RESIDENTIAL TAX ABATEMENT PURPOSES IN THE CITY OF HUMBOLDT, IOWA."

Roll Call Vote: Ayes – Sleiter, Scholl, Rusher, Davis, and Goodell. Motion carried.

Motion by Goodell, Second by Scholl to waive the second and third readings of the aforementioned Ordinance.

Roll Call Vote: Ayes – Scholl, Rusher, Davis, Goodell, and Sleiter. Motion carried.

Motion by Rusher, Second by Goodell to approve the final reading of the aforementioned Ordinance and direct the City Clerk to publish the Ordinance as Ordinance No. 2015-11.

Roll Call Vote: Ayes – Rusher, Davis, Goodell, Sleiter, and Scholl. Motion carried.

Other Items Discussed: Mayor - Reported that he has had inquiries from two parties regarding the possible sale of city-owned property located in the Pioneer Valley Addition. Interim City Administrator – Reviewed the status of the Sumner Avenue Hill Project. City Clerk – Thanked the Mayor for his fifteen years of service to Humboldt.

Motion by Sleiter, Second by Scholl to schedule Monday, January 4, 2016 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 5:54 PM. (5) Ayes, motion carried.

Walter Jensen, Mayor

Attest: _____
Gloria J. Christensen, City Clerk