

**MINUTES OF THE FEBRUARY 22, 2011 MEETING
OF THE HUMBOLDT CITY COUNCIL**

The Humboldt City Council met in regular session on Tuesday, February 22, 2011 in the Council Chambers of the Humboldt Municipal Building. Mayor Walter Jensen called the meeting to order at 5:30 PM. Council Members present: Jorgensen, Sleiter, Boomgarden, Rusher, and Hadar.

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

Motion by Rusher, Second by Hadar to approve the minutes of the February 7, 2011 Work Session, the February 7, 2011 regular Council Meeting, the February 9, 2011 Budget Workshop, and the February 10, 2011 Budget Workshop. (5) Ayes, motion carried.

Duane Covington of PeopleService presented the PeopleService Monthly Reports. He reported that there were five watermain breaks in January, and that eleven 1" – 2" compound industrial meters have been installed to replace old inaccurate meters. He also reported that toxicity tests at the wastewater treatment plant have come back with very favorable results.

This being the time and place for the scheduled Public Hearing to consider the approval of a Development Agreement with AMH Real Estate, LLC, Mayor Jensen opened the public hearing at 5:37 PM. The City Administrator outlined the provisions of the Development Agreement, which is a 5-year agreements with a rebate limit of \$44,000.

There were no additional comment by the Mayor or Council, and the City Clerk reported that 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 Development Agreement with AMH Real Estate, LLC. Mayor Jensen closed the public hearing at 5:38 PM.

This being the time and place for the scheduled Public Hearing to consider the approval of a Development Agreement with Tony and Allison Christensen, Mayor Jensen opened the public hearing at 5:38 PM. The City Administrator outlined the provisions of the Development Agreement, which is a 5-year agreements with a rebate limit of \$35,000.

There were no additional comment by the Mayor or Council, and the City Clerk reported that 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 Development Agreement with Tony and Allison Christensen, Mayor Jensen closed the public hearing at 5:39 PM.

Motion by Rusher, Second by Boomgarden to approve the following pending licenses and license changes:

- Class C Liquor License and Outdoor Service and Sunday Sales Privilege for Gary P. Stattelmann, d/b/a Frank's Knotty Pine (pending certification of dram shop insurance).
- Class C Beer Permit and Sunday Sales Privilege for Kum & Go LC, d/b/a Kum & Go #564.
- Ownership change for the W & H Cooperative Oil Co., Inc. d/b/a Humboldt Ampride Class C Beer Permit.
- Class C Liquor License for Fireside Restaurant & Lounge, Inc., d/b/a Fireside.
- Class C Liquor License, Catering Privilege, and Sunday Sales Privilege for Family Table of Humboldt, LTD., d/b/a Miller's Landing.
- 5-Day Class C Liquor License and Catering Privilege for St. Mary's Church.

(5) Ayes, motion carried.

Motion by Boomgarden, Second by Sleiter to approve the following proposed Resolution No. 2011-14: "A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUMBOLDT AND AMH REAL ESTATE, LLC."

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

Motion by Jorgensen, Second by Boomgarden to approve the following proposed Resolution No. 2011-15: "A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF HUMBOLDT AND TONY AND ALLISON CHRISTENSEN."

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

Motion by Sleiter, Second by Boomgarden to approve the following proposed Resolution No. 2011-16: "A RESOLUTION FIXING THE DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NO TO EXCEED \$400,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2011, (FOR A GENERAL CORPORATE PURPOSE) OF THE CITY OF HUMBOLDT, STATE OF IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF."

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

Motion by Sleiter, Second by Boomgarden to approve the following proposed Resolution No. 2011-17: "A RESOLUTION APPROVING MIDAS DISASTER CDBG REQUEST FOR PAYMENT NO. 9 IN THE AMOUNT OF \$40,716.12 FOR THE 2010 INFRASTRUCTURE IMPROVEMENT PROJECT."

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

Motion by Rusher, Second by Hadar to approve the following proposed Resolution No. 2011-18: "A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT

BETWEEN THE CITY OF HUMBOLDT, IOWA AND THE CHAUFFEURS, TEAMSTERS AND HELPERS LOCAL UNION NO. 238 FOR EMPLOYEES OF THE HUMBOLDT POLICE DEPARTMENT FROM JULY 1, 2011 TO JUNE 30, 2015."

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

Motion by Boomgarden, Second by Sleiter to approve the following proposed Resolution No. 2011-19: "A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF UNDERSTANDING BETWEEN THE CITY OF HUMBOLDT AND TEAMSTERS LOCAL 238 REGARDING POLICE OFFICER WORK SCHEDULES, HOURS OF WORK AND BENEFIT ACCRUAL."

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

Motion by Rusher, Second by Jorgensen to approve the following proposed Resolution No. 2011-20: "A RESOLUTION APPROVING THE FISCAL YEAR 2011-2012 BUDGET ESTIMATE, DIRECTING THE CITY CLERK TO PUBLISH THE NOTICE OF PUBLIC HEARING AND SET MONDAY, MARCH 7, 2011 AT 5:30 PM AS THE DATE AND TIME FOR A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2011-2012 BUDGET."

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

Motion by Jorgensen, Second by Boomgarden to approve the following proposed Resolution No. 2011-21: "A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CONTRACT TO PROVIDE SERVICES BETWEEN THE CITY OF HUMBOLDT AND MIDAS COUNCIL OF GOVERNMENTS REGARDING A COMMERCIAL TAX ABATEMENT PLAN."

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

Motion by Rusher, Second by Hadar 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 105, SECTION 10(2) PERTAINING TO WASTE STORAGE CONTAINERS."

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

Motion by Sleiter, Second by Boomgarden 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 92, SECTIONS 2 AND 3 PERTAINING TO WATER RATES."

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

Other Items Discussed: City Administrator – Thanked residents for their patience as water main breaks are being repaired.

Motion by Sleiter, Second by Boomgarden to schedule Monday, March 7, 2011 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 6:05 PM. (5) Ayes, motion carried.

Walter Jensen, Mayor

Attest: _____
Gloria J. Christensen, City Clerk