

**MINUTES OF THE SEPTEMBER 23, 2013 MEETING
OF THE HUMBOLDT CITY COUNCIL**

The Humboldt City Council met in regular session on Monday, September 23, 2013 in the Council Chambers of the Humboldt Municipal Building. Mayor Walter Jensen called the meeting to order at 5:34 PM. Council Members present: Goodell, Rusher, and Hadar. Absent: Sleiter

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

Motion by Goodell, Second by Hadar to approve the minutes of the September 9, 2013 regular Council Meeting. (3) Ayes, motion carried.

Motion by Hadar, Second by Goodell to approve the August Treasurer's Report. (3) Ayes, motion carried.

Clint Fishel of PeopleService, Inc. reported on the water plant renovation and the new water tower.

Deb Ruberg of Dakota city requested that the City Council grant her permission to place a cross in memory of her son in the right-of-way on 215th Street. The City Administrator explained that it is the City Attorney's opinion that generally the easement in the right-of-way is intended to be used for road and utility purposes. Additionally, the cross could be considered a form of signage, and therefore subject to those regulations as well. It was the attorney's opinion that the City Council does not have the authority to grant permission for a "sub-user" to place signage in a right-of-way. No action was taken by the Council; the City Administrator will obtain further clarification from the City Attorney, and the matter will be reconsidered at the October 7th meeting.

Motion by Hadar, Second by Goodell to approve setting Thursday, October 31, 2013 from 5:30 PM – 7:30 PM as Trick-or-Treat night in the City of Humboldt. (3) Ayes, motion carried.

Motion by Goodell, Second by Hadar to approve the renewal of a Class C Beer Permit, Class B Wine Permit (Carryout Wine), and Sunday Sales Privilege for Shopko Stores Operating Co., LLC d/b/a Shopko Hometown #664. (3) Ayes, motion carried.

Motion by Hadar, Second by Goodell to approve a new 5-Day Class C Liquor License and Outdoor Service Area for Pheasants Forever, Inc., d/b/a Annual PF Banquet, effective November 16 – 20, 2013. (3) Ayes, motion carried.

Motion by Goodell, Second by Hadar 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 Hadar to approve the renewal of a Class C Liquor License, Outdoor Service Area, and Sunday Sales Privilege for Larry Davidson, d/b/a Rustix Restaurant and Reception. (3) Ayes, motion carried.

Motion by Rusher, Second by Goodell to adjourn the City Council Meeting at 5:50 PM. (3) Ayes, motion carried.

Motion by Goodell, Second by Hadar to come to order as Drainage District 13A Trustees at 5:50 PM. (3) Ayes, motion carried.

This being the time and place for the scheduled Public Hearing on the Commissioners' Reports for Humboldt County Drainage District 13A, Mayor Jensen resumed the public hearing at 5:51 PM.

David Johnson, attorney for the Drainage District, addressed the Trustees and explained that a large parcel has been identified which was not included in the original notification for repairs to the district made in 2009. That parcel will therefore be removed from the assessment list for the 2009 project, and approximately \$5,000 will be redistributed to the rest of the district. The revised report will be presented to the Trustees at the October 7, 2013 meeting. That revised Commissioner's Report will be accepted by the Trustees at that meeting, a new public hearing will be scheduled, and new notices will be mailed to all affected property owners.

Engineer Rick Hopper also explained that the total assessment will be about 9% lower than originally planned, due to some errors in calculating the total expenditures. The total levy is expected to be approximately \$1,100,000.

The City Clerk reported that two objection letters were received, from Mark Daggy and Deb Schultz.

During the hearing, comments were made by Ray Stockdale, Mark Daggy, Gary Woodward, and Deb Schultz.

There being no more comments or objections on the Commissioners' Reports for Humboldt County Drainage District 13A, Mayor Jensen continued the Public Hearing at 6:10 PM.

Motion by Goodell, Second by Hadar to direct the Commissioners to revise the Classification Report to reflect the recent changes, and file the revised report by October 7, 2013. (3) Ayes, motion carried.

Motion by Goodell, Second by Hadar to adjourn the session of the Drainage District 13A Trustees at 6:11 PM. (3) Ayes, motion carried.

Motion by Hadar, Second by Goodell to reconvene as the Humboldt City Council at 6:11 PM. (3) Ayes, motion carried.

This being the time and place for the scheduled public hearing on the proposed Amendment No. 7 to the North Side Urban Renewal Plan in the City of Humboldt, State of Iowa, Mayor Jensen opened the public hearing at 6:12 PM.

The City Administrator reviewed the proposed Amendment No. 7 to the North Side Urban Renewal Plan. The Amendment will remove land that will be added to the Northwest Urban Renewal Area and lists the projects from all previous amendments to the Urban Renewal Area. This Amendment is necessary due to the upcoming sunset of a portion of the area. He reported that a consultation with the affected taxing entities was duly held, and that no written recommendations were received from those taxing entities.

The City Clerk reported that no written objections to the proposed Amendment had been received, and there were no comments or objections from the general public in attendance.

There being no more comments or objections on the proposed Amendment No. 7 to the North Side Urban Renewal Plan, Mayor Jensen closed the public hearing at 6:13 PM.

This being the time and place for the scheduled public hearing on the proposed Northwest Urban Renewal Plan in the City of Humboldt, State of Iowa, Mayor Jensen opened the public hearing at 6:13 PM.

The City Administrator reviewed the proposed Northwest Urban Renewal Plan. The new area is primarily made up of agricultural land removed from the North Side Urban Renewal Area. The proposed Precision Tank Development Agreement will be executed in this area. He reported that a consultation with the affected taxing entities was duly held, and that no written recommendations were received from those taxing entities. He further stated that the proposed Plan has been approved by the Planning and Zoning Commission as being in conformity with the general plan for the development of the City as a whole.

The City Clerk reported that no written objections to the proposed Plan had been received, and there were no comments or objections from the general public in attendance.

There being no more comments or objections on the proposed Northwest Urban Renewal Plan, Mayor Jensen closed the public hearing at 6:14 PM.

This being the time and place for the scheduled public hearing on the proposed Development Agreement with Precision Tank & Equipment Co., Mayor Jensen opened the public hearing at 6:14 PM.

The City Administrator reviewed the proposed Development Agreement. It is a ten-year agreement with a maximum rebate of \$320,000. The proposed improvements will total \$1.7 - \$2 million, and will include the construction of a new 31,500 square-foot building in the newly designated North West Urban Renewal Area.

The City Clerk reported that no written objections to the proposed Development Agreement had been received, and there were no comments or objections from the general public in attendance.

There being no more comments or objections on the proposed Development Agreement with Precision Tank & Equipment Co., Mayor Jensen closed the public hearing at 6:17 PM.

Motion by Rusher, Second by Hadar to approve the following proposed Resolution No. 2013-97: "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. 7 TO THE NORTHSIDE URBAN RENEWAL PLAN."

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

Motion by Hadar, Second by Goodell to approve the following proposed Resolution No. 2013-98: "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN 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 THE NORTHWEST URBAN RENEWAL PLAN.”

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

Motion by Goodell, Second by Hadar to approve the following proposed Resolution No. 2013-99: “A RESOLUTION APPROVING THE FISCAL YEAR 2012-2013 STREET FINANCIAL REPORT FOR THE CITY OF HUMBOLDT, IOWA.”

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

Motion by Rusher, Second by Hadar to approve the following proposed Resolution No. 2013-100: “A RESOLUTION SETTING 5:30 PM ON MONDAY, OCTOBER 7, 2013 AS THE TIME AND DATE FOR A PUBLIC HEARING TO CONSIDER THE DISPOSITION BY SALE OF PUBLIC PROPERTY.”

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

Motion by Goodell, Second by Hadar to approve the following proposed Resolution No. 2013-101: “A RESOLUTION APPROVING PAY ESTIMATE NO. 7 FROM WUNSCH CONSTRUCTION, INC. OF GREENE, IOWA IN THE AMOUNT OF \$27,533.35 FOR THE 2012 EAGLE RIDGE ADDITION PROJECT.”

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

Motion by Hadar, Second by Rusher to approve the following proposed Resolution No. 2013-102: “A RESOLUTION APPROVING PAY ESTIMATE NO. 4 (FINAL) FROM WUNSCH CONSTRUCTION, INC. OF GREENE, IOWA FOR THE 2013 INFRASTRUCTURE IMPROVEMENT PROJECT, IN THE AMOUNT OF \$12,417.30 AND ACCEPTING THE PROJECT AS COMPLETE AND AUTHORIZING THE RELEASE OF THE 5% RETAINAGE (\$6,905.83) THIRTY DAYS FROM THE DATE OF THIS ACCEPTANCE.”

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

Motion by Goodell, Second by Rusher to approve the following proposed Resolution No. 2013-103: “A RESOLUTION APPROVING PAY ESTIMATE NO. 9 FROM CHICAGO BRIDGE & IRON OF PLAINFIELD, ILLINOIS IN THE AMOUNT OF \$21,090.00 FOR THE 2012 500,000-GALLON ELEVATED STORAGE TANK (WATER TOWER) PROJECT.”

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

Motion by Goodell, Second by Hadar to approve the first reading of the following proposed ordinance: “AN ORDINANCE AMENDING ORDINANCE NOS. 514, 97-09, 2000-07, 2003-09, AND 2005-14, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED NORTHSIDE URBAN RENEWAL AREA, IN THE CITY OF HUMBOLDT, COUNTY OF HUMBOLDT, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA,

CITY OF HUMBOLDT, COUNTY OF HUMBOLDT, HUMBOLDT COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED NORTHSIDE URBAN RENEWAL AREA (AMENDMENT NO. 7 TO THE NORTHSIDE URBAN RENEWAL PLAN)”

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

Other Items Discussed: City Administrator – Announced that no one filed nomination papers for the At-Large City Council seat being vacated by Joe Hadar upon completion of his term.

Motion by Goodell, Second by Hadar to schedule Monday, October 7, 2013 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 6:30 PM. (3) Ayes, motion carried.

Walter Jensen, Mayor

Attest: _____
Gloria J. Christensen, City Clerk