

City Council Public Hearing/Special Meeting Minutes (Approved)
November 23, 2010

Present at the meeting: Kim Ebnet, Mike Odden, Lloyd Rausch, Susan Marstein, Ernie Schmit, Vicki Statz, Brad Wasner, Laura Wasner. Bob Behrendt

Mayor Ernie Schmit called the public hearing to order at 7:00 p.m.

Mayor Schmit called for public comments on vacating the utility easement located on the North 10 feet of Lot 1, Block 2, Wentland Estates, also known as 940 4th St. Holdingford. One comment came forth, that they are in favor of the utility easement vacation.

Hearing no other comments, Mayor Schmit closed the public hearing on a motion by Sue Marstein, seconded by Mike Odden. AIF

Mayor Schmit then called the special meeting to order at 7:02 p.m.

Motion to approve the above utility easement vacation was made by Sue Marstein, seconded by Mike Odden. AIF

Other Items:

Motion to approve the Agreement of giving to Kelly's and Jenirola LLC one (1) foot of property (see attached for legal description) between Timothy Ray Kelly and Rebecca Kelly and Jenirola LLC (Moonshiners') and have Mayor Ernie Schmit sign after approval by other stated parties was made by Kim Ebnet, seconded by Mike Odden. AIF

Council agreed that if Kelly's do not agree with this Agreement to gift one (1) foot of wall to the Jenirola LLC (Moonshiners') property, also owned by Kelly's, that the council will need written assurance that when the city portion of the wall is taken down the city will not be responsible for any damage to Jenirola LLC (Moonshiners') (Kelly's) wall.

It was specifically stated that there will be only one (1) foot given. There is a partial brick wall on the southwest side of the property that is more than the one (1) foot. This will need to be taken off so there is only one (1) foot given to the Jenirola LLC (Moonshiners') (Kelly) property.

Motion to approve the Quit Claim Deed (see attached) was made by Sue Marstein, seconded by Lloyd Rausch. AIF

Meeting adjourned on a motion by Kim Ebnet, seconded by Lloyd Rausch. AIF

Meeting adjourned at 7:45 p.m.

Respectfully submitted,
Victoria R. Statz, City Clerk