

Wall Lake, Iowa

January 25, 2016

Wall Lake City Council met in session at 7:00 p.m. in council chambers presided by Mayor Steven Druivenga.

Councilmen present: Albert Schwanz, Rob Germann and Francis Riedell. Gary Faber and Ron Lahr are absent.

Visitors: None.

Riedell moved to approve the agenda as presented, seconded by Schwanz. Ayes: All. Faber and Lahr are absent. Motion carried.

Germann moved to approve the January 11 minutes. Seconded by Schwanz. Ayes: All. Faber and Lahr are absent. Motion carried.

Council discussed the bills to be paid, Schwanz made the motion to approve the bills to be paid. Germann seconded. Ayes: All. Faber and Lahr are absent. Motion carried.

Discuss Pool Project: Stan from ACCO brought an engineer with him and looked at the pool. The engineer will get a design and cost estimate together for the city. The Clerk reported that the HTP group wants to allow some investigation into constructing a brand new pool, the clerk reported a new pool would cost around 3 million dollars.

Discuss/Approve Jesse Tatman pay increase: Germann made the motion to increase Jesse's hourly rate from \$9.00 to \$9.50 per hour with the additional responsibility of being in charge of the mowing and weeding at the cemetery. . Riedell seconded. Ayes: All. Motion carried. Faber and Lahr are absent.

Discuss/Approve Lot 9 Block2 in Sherwood's First Addition sealed bids and rezoning to Commercial: The Clerk will check with Warren Bush to make sure everything is in order to rezone to commercial and report back to the Council.

Discuss/Approve Resolution 2016-01; RESOLUTION NO. 2016-01 A RESOLUTION (1) APPROVING THE MINIMUM DEVELOPMENT REQUIREMENTS, COMPETITIVE CRITERIA, AND PROCEDURES FOR DISPOSITION OF CERTAIN PROPERTY LOCATED WITHIN THE URBAN RENEWAL PLAN AREA; (2) DETERMINING THAT THE PROPOSAL SUBMITTED BY MARVIN ARNOLD SATISFY THE OFFERING REQUIREMENTS AND DECLARING THE INTENT OF THE CITY TO ENTER INTO A PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF WALL LAKE, IOWA AND MARVIN ARNOLD IN THE EVENT THAT NO COMPETING PROPOSALS ARE SUBMITTED; AND (4) SOLICITING COMPETING PROPOSALS. Riedell made the motion to approve Resolution 2016-01, Schwanz seconded. Roll Call Vote: Germann; yes, Riedell; yes, Schwanz; yes. Motion carried. Faber and Lahr are absent.

WHEREAS, by Resolution No. 2013-19, adopted October 14, 2013, the City Council of Wall Lake, Iowa adopted the Wall Lake Commercial/Industrial Urban Renewal Plan (the "Plan") for the Wall Lake Commercial Urban Renewal Area described therein (the "Urban Renewal Area"); and

WHEREAS, Marvin Arnold wishes to purchase property located within the Urban Renewal Area (the "Development Property") from the City; and

WHEREAS, the Plan provides for, among other things, the disposition of properties acquired for development or redevelopment as a proposed renewal action and authorizes the development of the Development Property as described in this Resolution; and

WHEREAS, the City intends to sell 90 feet by 60 feet (as surveyed) of Lot 3 in Block 1 of the Original Town in Wall Lake, Sac County, Iowa to Marvin Arnold ("Developer") for \$5,000; to enable Developers proposed construction of Office and Storage Space on the Development Property, the terms of such proposal being in the form of a real estate contract (the "Proposal"); and

WHEREAS, in order to establish reasonably competitive bidding procedures for the disposition of the Development Property in accordance with the statutory requirements of Iowa Code Section 403.8, and to assure that the City extends a full and fair opportunity to all developers interested in submitting a proposal, a summary of submission requirements that each proposal offered for development of the Development Property must satisfy in order to qualify for consideration is described herein; and

WHEREAS, to both recognize the firm Proposal from the Developer for the disposition and development of the Development Property already received by the City, and to give full and fair opportunity for other developers interested in submitting a proposal for acquisition and construction on the Development Property, this Council should by this Resolution:

1. Set the fair market value of the Development Property for uses in accordance with the Plan.
2. Approve the minimum requirements for the purchase of and development of the Development Property.
3. Approve the Developer's general terms as to form of the Proposal, subject to modifications and revisions as determined appropriate by the Council.
4. Set a date for receipt of competing proposals and the opening thereof; and provide for review of such proposals with recommendations to this Council in accordance with established procedures.
5. Declare that the Proposal submitted by the Developer satisfy the requirements of the offering, and that in the event no other qualified proposal is timely submitted that the City intends to accept Developer's Proposal and enter into the Proposal.
6. Approve and direct publication of a notice to advise any would-be competitors of the opportunity to compete for purchase of the Development Property on the terms and conditions set forth herein.
7. Declare that in the event another qualified proposal(s) is/are timely submitted, another and future notice will be published of the intent of the City to enter into the resulting contract(s), as required by law.

Direct the City Clerk to publish a Notice of Public Hearing at least 4 days prior

to the execution of the public hearing and the Proposal.

WHEREAS, this Council believes it is in the best interest of the City and the Plan to act as expeditiously as possible to offer this Development Property for development as set out herein.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF WALL LAKE, IOWA:

1. The Development Property offered for sale for redevelopment in accordance with the terms and conditions contained in this Resolution and the Plan is described as follows:

Parcel ID: 90 feet by 60 feet (as surveyed) of Lot Three in Block 1 of the Original Town of Wall Lake, Sac County, Iowa. Proposed sale price \$5,000

2. It is hereby determined that in order to qualify for consideration for selection, each developer must submit a proposal which contains terms no less favorable to the City than those set forth in the Proposal submitted by Marvin Arnold and which must include and provide for the developer's purchase of the Development Property at not less than the fair value for use in accordance with the Plan.

3. It is hereby determined, based on investigation by the City, that the sale of the Development Property as provided in the Proposals is equal to or greater than fair value, and is hereby approved.

4. The Proposal between the City and the Developer is hereby approved as to form for the purpose described in this Resolution, subject to modifications as determined appropriate by the City Council.

5. It is hereby determined that the Proposal submitted by the Developer satisfies the requirements of this offering and, in the event that no other qualified proposals are timely submitted, the City intends to enter into the Proposal and transfer the Development Property to the Developer, or their permitted assignees, on the terms proposed.

6. It is hereby determined that the Developer possesses the qualifications, financial resources and legal ability necessary to acquire and develop the Development Property in the manner proposed by this offering and in accordance with the Plans.

7. This action of the Council shall be considered to be and does hereby constitute notice to all concerned of the intention of this Council, in the event that no other qualified proposals are timely submitted, to accept the proposal of the Developer to acquire and develop the Development Property.

8. In the event no other qualified proposals are timely submitted, the City intends to enter into the Proposal, which Proposal is on file for public inspection at the office of the City Clerk, City Hall, 108 Boyer Street, Wall Lake, Iowa.

9. The City Clerk is authorized and directed to secure immediate publication of this Resolution in the "The Chronicle", a newspaper having general circulation in the community, by publication of the text of this resolution.

10. The City Clerk is directed to prepare and publish a notice of public hearing in the

form provided by counsel at least 4 days but not more than 20 days before the public hearing to be held on the sale.

11. Written proposals for the sale of the Development Property will be received by the City Clerk at or before 12:00 o'clock P.M. (Noon) on March 11, 2016. Said proposals will

be received in the City Clerk's Office, located at City Hall, 108 Boyer Street, Wall Lake, Iowa 51466. Each proposal will then be publicly opened by the Clerk or the Clerk's designee at the hour of 1:00 P.M. in the Council Chambers, City Hall, 108 Boyer Street, Wall Lake, Iowa, on that same date. The City Clerk is hereby authorized and directed

to make a preliminary analysis of each such proposal for compliance with the minimum requirements established by this Council hereinabove and to advise the Council with respect thereto. Said proposals will then be presented to the City Council at 7:00 o'clock P.M. on March 14, 2016, at a public hearing to be held in the Council Chambers, City Hall, 108 Boyer Street, Wall Lake, Iowa. The Council shall judge the strength of the proposals meeting the foregoing minimum requirements by the criteria set forth above and shall make the final evaluation and selection of a proposal.

12. The method for transfer of the Development Property as set forth herein is in substantial conformance with the provisions of Section 403.8(1) and (2), Code of Iowa, requiring "fair value" and "reasonable competitive bidding procedures."

13. In the event another qualified proposal is timely submitted, another and further notice shall be published of the intent of the City of Wall Lake, Iowa to enter into the resulting contract, as required by law.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor-Steven Druivenga

ATTEST:

\_\_\_\_\_  
City Clerk-Chris Rodman

Discuss/Approve FY 2017 Budget-First Draft: The Clerk presented the first draft of the budget for FY 2017, reviewing each line item. He then asked council to take it home and review it and to contact him with any questions.

#### Public Forum

The new rate for the contract with Lake View Police was discussed as well as the start date for the new rate.

Adjourn: Riedell made the motion to adjourn, Schwanz seconded. Ayes: All. Faber and Lahr are absent. Motion carried.

Attest: Lynn Grosely, Deputy Clerk