City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MPW

DATE: December 16, 2020

SUBJECT: 224 N Main Street Property Sale and Redevelopment

At the Council meeting on November 23, 2020, a Resolution was passed setting a public hearing for the proposed sale of the City's interest in real estate to Rowland Real Estate LLC. A hearing was held on December 14, 2020. Comments were submitted prior to the Council meeting by Amy Brown, Kyle Bauer, Matt Wendl and Peggy Buman. Andy Rowland, owner of Rowland Real Estate LLC, Margaret Saddoris (who also read a letter on behalf of Joleen Handlos), Kyle Bauer, Tom Buman, Peggy Buman, and Amy Brown addressed the Council on this issue during the meeting. The Mayor closed the public hearing at the meeting.

During the December 14, 2020 meeting, it was moved by Kots, seconded by Siemann, to approve Resolution No. 20-100, Sale of the City Interest of Real Estate located at 224 N Main Street to Rowland Real Estate LLC for $1,000. On roll call, all present voted aye except Boes voted nay. Absent: Dirkx. Motion carried.

Due to an audio issue when the City Council was voting on Resolution No. 20-100 and since the public was required to remotely participate in the meeting due to COVID-19, the Council is asked to reaffirm approval of the resolution out of an abundance of caution.

RECOMMENDATION: Council may consider approval of the Resolution authorizing the sale of said real estate to Rowland Real Estate LLC for $1,000.00.

RESOLUTION NO. _____

RESOLUTION REAFFIRMING A RESOLUTION FOR THE SALE OF THE CITY INTEREST IN REAL ESTATE

WHEREAS, sale of the city's interest in real estate legally described as:

> Lot 9 and the South 11 feet of the West 68 feet of Lot 10, Block 37, Second Addition to the City of Carroll, Carroll County, Iowa

is deemed appropriate, and

WHEREAS, the above-stated real estate is being conveyed to Rowland Real Estate LLC; and

WHEREAS, the public hearing on the proposed sale was conducted on December 14, 2020, after published notice thereof on December 4, 2020 in the Carroll Times Herald, and the Council has given due consideration to objections and evidence for and against the proposed sale, as reflected by the record of the public hearing, and

WHEREAS, the Council deems the proposed sale to be in the best interest of the City of Carroll, Iowa, and the Council waives policy No. 0307, requiring an appraisal, and

WHEREAS, during the December 14, 2020 meeting, it was moved by Kots, seconded by Siemann, to approve Resolution No. 20-100, Sale of the City Interest of Real Estate located at 224 N Main Street to Rowland Real Estate LLC for $1,000. On roll call, all present voted aye except Boes voted nay. Absent: Dirkx. Motion carried, and

WHEREAS, due to an audio issue when the City Council was voting on Resolution No. 20-100 and since the public was required to remotely participate in the meeting due to COVID-19, the Council is asked to reaffirm approval of the resolution out of an abundance caution.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 20-100 is reaffirmed and the above-stated real estate be conveyed by real estate contract to Rowland Real Estate LLC for good and valuable consideration, and the Mayor and City Clerk are authorized to execute the real estate contract on behalf of the City, and are further authorized to execute the Deed, upon full satisfaction of the real estate contract.

Passed and Approved this 21st day of December, 2020.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

BY:_____
Jerry Fleshner, Mayor Pro-Tem

ATTEST:

By:_____
Laura A. Schaefer, City Clerk