

**CITY OF CLARKSVILLE
CITY COUNCIL DEPARTMENT MEETING
August 20, 2018**

The Clarksville City Council met in regular session August 20, 2018, in the temporary City Hall at 7:00 p.m. with Mayor Val Swinton in the chair and Council members Roger Doty, Todd Fails, Jeff Kolb, Diane Renning, and Kenny Smith present.

The following Department Heads were in attendance: Kristen Clark, Library Director; Barry Mackey, Police Chief; Matt Kampman, Maintenance Superintendent; Ryan McCully, Maintenance Assistant; Karen Miller, Ambulance Crew Chief; Lori Peterson and Kayla Hinders, Financial Administration.

Mayor Swinton opened the Public Hearing at 7:00 p.m., for the purpose of deciding if the City should sell city-owned property on South Main Street to The Overland Group, LLC (Dollar General).

Verbal comments were received from the following: Susan Heine, Jerry Leibold, Bruce Lodge, Cecil Krull, Ted Hoodjer and Dave Clark.

Susan Heine asked why Dollar General needed the South 7' of Pioneer Park; couldn't they purchase it on the other side of the city-owned properties? Or could they adjust their building size? Jeff Kolb responded that the other property owner declined to sell, and that Dollar General has a standard size building. Jerry Leibold wanted to know if the City was giving them the extra 7' or are they buying it? Jeff Kolb said that it would be included in the \$10,000.00 total purchase price. Jerry then stated that the City had spent \$131,000.00 on the vacant lots but would receive only \$10,000.00 so there would be a \$121,000.00 loss to the City and it would take 20 years to recoup that loss. He also mentioned that in the City of Greene, Dollar General had purchased land from an individual for \$168,000.00; taking only \$10,000.00 is like a donation. How did the City's asking price go from \$40,000.00 to \$10,000.00? Todd Fails said he felt it was not worth losing a new building downtown, on empty lots, over the possible loss of \$30,000.00 from what we would prefer to have gotten in our asking price of \$40,000.00. Bruce Lodge asked if there was something written in the contract that they will build a Dollar General in Clarksville? Jeff Kolb replied that it was his understanding there is a 15-year lease for the building. The City Attorney, Heather Prendergast, also mentioned that the deal can be terminated by either party if the contract was broken. Cecil Krull stated that if Dollar General doesn't come in, the lots may stay empty and that it's hard to start a business in small towns. Ted Hoodjer said no one else was wanting to purchase these properties and that the City had 2 options: keep the vacant lots and make no money or sell them and have a new business downtown. This would be an investment in town. Dave Clark asked if Dollar General could get an easement for the extra 7' from the City and let them use it if they needed to. Jeff Kolb said no, that Dollar General didn't want to do that. They want to place a sidewalk on that 7' for access to a fire escape door as well as an area for building repairs, if needed. There will also be parking in the rear of the building so the sidewalk would allow customers to walk to the front entrance.

After oral and written comments for and against the proposed disposition of City-owned property were received, the Mayor declared the hearing closed.

Motion Renning, Fails, to adopt Resolution 18-674: A RESOLUTION APPROVING THE DISPOSITION OF CITY PROPERTY:

WHEREAS, the City of Clarksville, Iowa, (hereinafter referred to as "City") owns certain property in the City of Clarksville, legally described as follows:

The South (S) Seven (7) feet of the North (N) Forty-four (44) feet of Lot One (1) in Block One (1) in the Original Town of Clarksville, Iowa, except the South (S) Three (3) feet of the East (E) Ninety-five (95) feet thereof

WHEREAS, one of the City's objectives is to promote commercial and residential development within the City of Clarksville for the purposes of economic development; and

WHEREAS, the City has received a proposal from the Overland Group, LLC more commonly known as Dollar General, which includes their request for the acquisition of certain lots on Main Street legally described in Resolution 18-672; and

WHEREAS, the City has reviewed the proposal from the Overland Group, LLC, undertaken a public hearing on this matter involving both the property legally described above as well as the property previously addressed in the previous mentioned resolution, and in accordance with the provisions of the Code of Iowa has held public hearing on the proposal to sell the property on August 20, 2018; and

WHEREAS, it is now necessary for the City Council for the City to approve the proposal received by the Overland Group, LLC (Dollar General); as well as the counter-offer to the proposal received and discussed in the meeting;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clarksville, Iowa resolves as follows:

Section 1. The City determines that the proposal of the Overland Group, LLC (Dollar General) represents the best interest of the City with respect to the development of the property referenced above as well as the property on Main Street and the proposal of the Overland Group, LLC (Dollar General) is hereby accepted and approved for a total purchase price of \$10,000 for the lots reference in Resolution 18-672 as well as the property legally described above. Public hearing regarding the property legally described above has occurred on this date, August 20, 2018 and the disposition of the property to the Overland Group, LLC (Dollar General) is hereby approved. The Mayor and the City Clerk are hereby authorized and directed, with the advice from City Attorney, to execute such documents as necessary to carry out the disposition and transfer of the above-referenced property as well as the property referenced in Resolution 18-672.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RCV – Ayes: Doty, Fails and Renning. Nays: Smith. Abstained: Kolb. MC.

Resolution adopted, signed by the Mayor and hereby made a portion of these minutes.

Motion Kolb, Smith, to approve fence building permit for Callie Vance, 315 S Mather St.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Kolb, Smith, to approve fence building permit for Laura Wallin, 413 E Superior St.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Kolb, Smith, to approve patio concrete and fence building permit for Kristinia Kielman, 408 W Weare St.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Kolb, Smtih, to table fence and increase shop size building permit for Robert Skillen, 802 S Main St.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Kolb, Smith, to approve fence building permit for Kelsie Lovrien, 210 S Mather St.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Smith, Renning, to approve the sale of the City's 1979 2640 John Deere tractor to Josh Brandt, 20428 160th, Holland, Iowa, 50642, for \$2,000.00.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Smith, Doty, to approve consent agenda: Monthly Departmental Reports as submitted by Department Heads.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Doty, Fails, to approve August expenditures and July financial reports as presented by the City Clerk.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Renning, Kolb, to change Monday, September 3, 2018 City Council meeting to Tuesday, September 4, 2018 at 7:00 p.m. due to the Labor Day holiday.

RCV – Ayes: Doty, Fails, Kolb, Renning, and Smith. Nays: None. MC.

Motion Fails, to adjourn the regular City Council meeting at 8:15 p.m.

Val F. Swinton
Mayor

Attest: Lori A. Peterson
City Clerk/Treasurer