



Mayor:
Chad Alleger

Council Members:
Dianne Taylor
(Pro Tem)
Brent Berger
Christy Lindsay
Ann McDonald
Deb Townsend

City Administrator
John Lloyd

City Clerk
Cindy Kane

Deputy Clerk
Emily Voeller

Library Director
Sue Ponder

Police Chief
Joe Bartello

Fire Chief
Ryan Van Der Kamp

Ambulance Director
Cody Wenthe

City Attorney
John H. Judisch

CITY COUNCIL MEETING AGENDA
6:00 P.M. WEDNESDAY, APRIL 22, 2020
VIDEO CONFERENCE MEETING

AMERICANS WITH DISABILITIES ACT COMPLIANCE: IF THERE IS ANYONE WISHING TO ATTEND THE MEETING THAT MAY REQUIRE SPECIAL ASSISTANCE IN BEING ABLE TO PARTICIPATE IN THIS MEETING, PLEASE ADVISE CITY HALL OF YOUR NEEDS 48 HOURS PRIOR TO THE MEETING.

1. ROLL CALL
2. PUBLIC COMMENT: At this time, citizens may address the Council. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda. To be heard, a citizen must be recognized by the chair and state his or her name and address. Speakers will be given three minutes to present their concerns. Comments and/or questions must be related to city policies or the provision of city services and shall not include derogatory comments about other individuals. Unless specifically called upon by the Mayor no additional comments and/or questions will be addressed during the remaining meeting once the Public Comment portion has been closed.
3. AGENDA APPROVAL. ACTION MAY BE TAKEN ON ANY OF THE ITEMS LISTED IN THE AGENDA
4. INTRODUCTION AND ADOPTION OF ORDINANCES, RESOLUTIONS, PUBLIC HEARINGS
 - a. Resolution 4-22-20-1 Directing Sale of Real Estate
 - b. Public Hearing on Rezoning
 - c. Ordinance 374 Amending Provisions Pertaining to Rezoning A-1 to C-1
 - d. Resolution waiving the second and third readings of Ordinance 374.
 - e. Offer to purchase 2 residential lots and possibly setting a public hearing for May 6
5. NEW BUSINESS:
 - a. Report from Finance Committee
 - b. Renewal of Cigarette permit for Casey's General Store #2237
6. ADJOURNMENT

203 E. Jefferson
PO Box 607
Prairie City, IA 50228
www.prairiecityiowa.us
515/994-2649 phone
515/994-2376 fax

RESOLUTION NO. 04-22-20-1

RESOLUTION DIRECTING THE SALE OF AN INTEREST IN REAL PROPERTY BY SALE
AND FOLLOWING THE PUBLIC HEARING

BE IT RESOLVED by the Council of the City of Prairie City, Iowa:

NOW on this 22nd day of April 2020, on behalf of the City of Prairie City, Iowa, and after having held a public hearing on the matter on March 4, 2020, the Mayor and Clerk shall sell and deed real estate located in Prairie City, Jasper County, Iowa, and more specifically described as follows, to-wit:

All of Government Lot 4, Section 1, Township 78 North, Range 21 West of the Fifth P.M., Jasper County, Iowa, lying within the corporate limits of the City of Prairie City, Iowa, and South of the C.R.I. & P. Railroad Right-of-Way and North of State Highway Number 163, except the tracts conveyed to the State of Iowa, recorded in Book 412 at Page 354 and in Book 938 Page 3 and except the tracts conveyed to the City of Prairie City, recorded in Book 636 Page 252 and in Book 944 at Page 236 in the office of the Recorder of said County,

and locally known as 202 South State St., Prairie City, Iowa, (Ball Fields), to Pella Regional Health Center for the sum of one dollar (\$1.00) as the City Council determines that the construction of a medical facility will be of immense benefit to the City of Prairie City, Iowa and its residents.

In addition to the consideration set out herein,

1. The property shall be sold "AS IS" and title transferred by Quit Claim Deed.
2. The property would revert back to the City of Prairie City if Pella Regional does not begin construction within two (2) years from the date of closing.
3. The City shall be permitted to use both of the ball fields on the real estate until June 8, 2020. The City would maintain liability insurance coverage regarding its use of the ball fields on the real estate.

4. The City shall be permitted to use the west ball field on the real estate beyond June 8, 2020 and until such time as Pella Regional indicates that that portion is needed by Pella Regional. The City understands that Pella Regional may decide the western portion is needed as of June 8, 2020. The City would maintain liability insurance coverage regarding its use of the ball field on the real estate.
5. In the event Pella Regional were to sell the real estate to any other party within ten (10) years of closing, then, in such event, Pella Regional would pay a sum, equal to the fair market value of the real estate as of the date of closing, to the City of Prairie City within thirty (30) days of the closing of said sale.
6. Pella Regional would not be able to split, or otherwise parcel off, any portion of the real estate.
7. The City shall remove all fencing and bleachers regarding the east field by June 30, 2020, and the City shall remove all fencing and bleachers regarding the west field within thirty (30) days of being notified by Pella Regional that it needs use of, and/or access to, the western part of the real estate. Removal of any other buildings / structures, as well as capping off the water and sewer lines, would be the responsibility of Pella Regional and its own cost.
8. The City shall maintain and/or obtain and/or reserve for itself and easements regarding water, sewer or other utilities which may affect or lay upon the property.
9. Buyer and the City will enter into a separate Agreement subject to the terms set-forth in this Resolution and which may include additional terms.

The City shall issue a Quit Claim Deed to the buyers and the City Clerk shall co-sign the deed upon execution of the Agreement noted herein. The deed shall be delivered thirty (30) days after the date of this Resolution unless an appeal on this action has been made to the District

Court. Action on this Resolution shall be final upon the purchasers of the deed giving evidence to the City Clerk that the deed has been recorded, and such fact noted on the official record of this Resolution.

ATTEST:

Chad D. Alleger, MAYOR

Cindy Kane, CITY CLERK

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF PRAIRIE CITY, IOWA BY AMENDING PROVISIONS PERTAINING TO REZONING OF AGRICULTURAL PARCEL

BE IT ENACTED by the City Council of the City of Prairie City, Iowa:

SECTION 1. SECTION MODIFIED. Section 165.04 of the Code of Ordinances of the City of Prairie City, Iowa, is amended to include the following as Commercial-One(C-1) zone:

165.04: Provisions for Official Zoning Map

1. Part of the Government Lot 4 in Section 2, Township 78 North, Range 21 West of the 5th P.M., Jasper County, Iowa, which lies South of Highway No. 163 as shown in Condemnation recorded in Book 953 page 133 in the office of the Recorder of said County and which lies North of Highway No. 163 as shown in Condemnation recorded in Book 1074 page 589 in the office of the Recorder of said County, EXCEPT that part of said Government Lot 4 which lies in a triangular tract of land described as bounded on the North by the Southerly right-of-way line of the C.R.I. & P. Railroad, bounded on the East by a line 200 feet normally distant Westerly from and parallel to the East line of Lot 5 of Government Lot 3 in said Section 2, as appears in plat recorded in Plat Book B page 437 in the office of the Recorder of said County, bounded on the South by a line 60 feet normally distant Northerly of and parallel to the centerline of existing Primary Road designated Iowa No. 163.

AND

A triangular tract of land being all that part of Government Lot 4 of Section 2, Township 78 North, Range 21 West of the 5th P.M., Jasper County, Iowa and all that part of Lot 5 of Government Lot 3 of said Section 2 as appears in plat recorded in Plat Book B page 437 in the office of the Recorder of said County, described as bounded on the North by the Southerly right-of-way line of the C.R.I. & P. Railroad, bounded on the East by a line 200 feet normally distant Westerly from and parallel to the East line of said Lot 5 of Government Lot 3, bounded on the South by a line 60 feet normally distant Northerly of and parallel to the centerline of existing Primary Road designated Iowa No. 163.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council this ____ day of _____ 2020, and APPROVED this ____ day of _____ 2020.

ATTEST:

Chad Alleger, MAYOR

Cindy Kane, CITY CLERK

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. 374 on the ___ day
of _____, 2020.

City Clerk

I wanted to follow up on our conversation last week and make an offer to purchase the cities lots at 701 & 705 S Norris St. Could you please forward this to the City Council for review at the meeting on the 22nd? Our offer is as follows:

Purchase price per lot: \$15,000 cash (price reflects current grade being below adjacent elevations resulting in substantial fill and dirt work required to make lots suitable for building without the risk of longstanding water problems)

Earnest money: \$500 per lot due within 48 hours of seller acceptance

Closing date: ASAP

Buyer to pay customary closing costs including title opinion and closing fees

Seller to pay customary costs including updating abstracts, prorated property taxes and closing fees

We intend to build single family homes on the lots starting as soon as possible. We have experience building similar new homes in Sully, Lynnville, Newton and Marshalltown as well as other towns in Iowa. If you would like a reference for our work please feel free to speak with Ryan Vander Kamp (Prairie City Fire Chief) as he has done the bulk of our electrical work throughout the last few years. For proper disclosure, a member of the buying entity is a licensed real estate agent in the state of Iowa.

Please confirm receipt and let me know if you have any questions.

Thanks,

Jeff Davis

Jeffrey Paul Homes LLC

515-444-7673



Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor

https://tax.iowa.gov

Instructions on the reverse side

For period (MM/DD/YYYY) 07 / 01 / 2020 through June 30, 2021

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA CASEY'S MARKETING COMPANY/DBA CASEY'S GENERAL STORE# 2237

Physical Location Address 1002 WEST 2ND ST City PRAIRIE CITY ZIP 50228

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Business Phone Number 5159949350

Legal Ownership Information:

Type of Ownership: Sole Proprietor Partnership Corporation LLC LLP

Name of sole proprietor, partnership, corporation, LLC, or LLP CASEY'S GENERAL STORE, INC.

Mailing Address PO BOX 3001 City ANKENY State IA ZIP 50021

Phone Number 515-446-6404 Fax Number 515-965-6205 Email JESSICA.FISHER@CASEYS.COM

Retail Information:

Types of Sales: Over-the-counter Vending machine

Do you make delivery sales of alternative nicotine or vapor products? (See Instructions) Yes No X

Types of Products Sold: (Check all that apply)

Cigarettes Tobacco Alternative Nicotine Products Vapor Products

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store Bar Convenience store/gas station Drug store Grocery store Hotel/motel Liquor store Restaurant Tobacco store

Has vending machine that assembles cigarettes Other

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Name (please print) JULIA L. JACKOWSKI, SECRETARY FOR CASEY'S MARKETING COMPANY

Name (please print) Signature Date

Signature Date 04/01/2020

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY - MUST BE COMPLETE

- Fill in the amount paid for the permit:
Fill in the date the permit was approved by the council or board:
Fill in the permit number issued by the city/county:
Fill in the name of the city or county issuing the permit:
New Renewal

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.
Email: iapledge@iowaabd.com
Fax: 515-281-7375