

April 27, 2017  
City Council Workshop Minutes

Mayor Behnken called the April 27, 2017, City Council workshop to order at 6:00PM with Staner, Knepper, Kearney, Hosch and Recker answering roll call.

Motion by Hosch, second by Kearney to approve the agenda. Motion carried unanimously.

The workshop was held to discuss options concerning the old bank building. Present were Steve Leidinger, our city attorney, Jesse Loewen, the developer interested in rehabilitating the building and Geoff Zoller who previously owned the building. There are currently 2 liens against the building, one being to Geoff Zoller. Following the April 24<sup>th</sup> council meeting, Geoff and Jesse worked out a plan concerning the lien owed to Geoff. Jesse will also take care of the other small lien. The current owners of the building have already said they will quit claim deed the property to the City or Jesse. Jesse will contact them to see if this is still open. Jesse will take title to the property pending on the City assisting him with a forgivable loan to help with a new roof, windows, tuck pointing, cleaning the inside of the building and stabilization of the building.

The attorney was asked if the City has liability with the condition of the building and the attorney stated that the City could end up in a lawsuit if something happens. The attorney provided the options the City has with this nuisance building. Option 1 is to do nothing and let the building stand. Option 2 is to abate the nuisance and assess the cost to the current owner's taxes. Option 3 is to assist the developer in phases to rehabilitate the building. Other options include the City getting a court order and forcing the current owners to tear it down or the City could take possession of the building through the abandonment process or 657.A.

It was also discussed if the City is setting a precedent if they provide the developer a forgivable loan. The City has other options in place already to assist other property owners with small projects. The magnitude of the bank building is unique and therefore should be considered separately from any other project. If the bank building gets rehabilitated, it may cause other property owners downtown to give their buildings a little attention that may be needed. The City is actually providing an incentive to the developer. If the City tears the building down, it sends a message to the community that the City doesn't care about the downtown and the livelihood of the City.

If the City enters into an incentive program with the developer there will be an agreement with specific conditions for the project. For the May 8<sup>th</sup> meeting, a preliminary agreement will be ready to view if Council so chooses to go that route with the building. The council will formally take action concerning the bank building at the May 8<sup>th</sup> City Council meeting.

Recker moved and Knepper seconded to adjourn the workshop at 5:59p.m. Motion carried unanimously.

Deanna McCusker, City Administrator

Marcus Behnken, Mayor