FILED NO. 233
BOOK 37 PAGE 348
1986 AUG -1 AM 8:12
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $35.00

IND. ✓
REC. ✓
PAGE ✓

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF MADISON)

I, the undersigned City Clerk of Winterset, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of said agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in said proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of said Municipality hereto affixed this 1st day of August, 1986.

CITY SEAL WINTERSET SEAL

Mark Matthews
City Clerk, Winterset, Iowa

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NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: February 3, 1986

Time of Meeting: 7:30 P. M.

Place of Meeting: City Hall

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Call to Order, Roll Call
2. Adopt Agenda
3. Dates for Public Hearings
   -Revenue Sharing Proposed Use
   -Amending FY85/86 Budget
4. Discussion on FY85/86 Budget/Expenditure Report
5. Proposed salary step increase for Police Officers
6. Library Board appointment
7. Old fire station appraisal report
8. Claims
9. Minutes
10. Added items for discussion

This notice is given pursuant to Chapter 28A, Code of Iowa and the local rules of said governmental body.

DATE POSTED: January 31, 1986

BY: Mark Nichols

Title: City Clerk

The City Clerk reported that he has now received two appraisal reports on the value of the old fire station. The Council then considered the circumstances by which they could go into closed session. The City Attorney reported to the Council on the open meeting law and the public records law which requires certain reports to be kept confidential. He stated that he felt that appraisal reports could be considered the type of reports that should be kept confidential and therefore the Council could go into closed session. Councilman Callison then moved to close the public meeting for the purpose of receiving and discussing reports of a confidential nature. Councilman Gilleland seconded the motion to go into closed session. Roll call vote:

AYES: Breeding, Callison, Gilleland, Harrell

NAYS: None

ABSENT NOT VOTING: Olson

Whereupon the Mayor declared that the motion carried and that the public meeting was now closed.

The Mayor asked that the other individuals in the Council chambers now leave the meeting. The Council then went into closed session to receive and discuss the appraisal reports on the old fire station.

After receiving the reports, Councilman Harrell moved to reopen the public meeting. Councilman Breeding seconded the motion to reopen the meeting. Roll call vote:

AYES: Breeding, Callison, Gilleland, Harrell

NAYS: None

ABSENT NOT VOTING: Olson

Whereupon the Mayor declared that the motion carried and that the closed meeting was now ended and that the Council meeting was again open to the public.

Councilman Callison then introduced Resolution 86-13 and moved for its adoption. Councilman Gilleland seconded the motion to adopt the resolution. The roll was called and the vote was:

AYES: Breeding, Callison, Gilleland, Harrell

NAYS: None

ABSENT NOT VOTING: Olson

Whereupon the Mayor declared the following resolution duly adopted.

RESOLUTION 86-13
RESOLUTION PROPOSING SALE OF PROPERTY AND FIXING DATE FOR PUBLIC HEARING THEREON

WHEREAS, the City of Winterset no longer uses the building known as the old fire station, and

WHEREAS, the maintenance and upkeep of this building has become a major expenditure for the City,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the City does hereby propose to sell the following described real estate:

S. 63 1/2 ft. of E. 1/3 of Lot 8, Blk. 17,
Original Town of Winterset, Iowa,

BE IT FURTHER RESOLVED that the City proposes to sell this real estate by the following method:

The sale of the real estate is scheduled for March 17, 1986 at 7:30 p.m. The City will accept sealed bids for selling the building to the highest bidder reserving the right to reject any and all bids. A 20% downpayment in the form of certified funds is to be submitted with the bid. Unaccepted bids will have the downpayment returned by no later than the next business day. A formal contract must be signed by the successful bidder no later than the close of the next business day. The balance will be due on closing which is expected to be on June 1, 1986 or at date of possession whichever is first. The City will provide an Abstract of Title showing marketable title to the real estate. Possession date will be no later than July 1, 1986. In the event that the building is not sold at the March 17th bid opening, the City will proceed with selling of the real estate either by public auction or listing the property with local realtors.

BE IF FURTHER RESOLVED that a public hearing on the proposal to sell the real estate be held on February 17, 1986 at 8:00 p.m.

BE IT FURTHER RESOLVED the City Clerk is hereby authorized and directed to cause notice of the public hearing to be published in a timely manner.

PASSED and APPROVED this 3rd day of February, 1986.

Bernard Morrissey, Mayor

ATTEST:

Mark Nitchals, City Clerk

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: February 17, 1986

Time of Meeting: 7:30 P. M.

Place of Meeting: City Hall

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

Agenda:
1. Call to Order, Roll Call
2. Adopt Agenda
3. Revenue Sharing Proposed Use Hearing
4. Hearing on Amending FY 85-86 Budget
5. Hearing on proposed sale of old fire station
6. Discussion with County Supervisors re: jointly owned land
7. Department Supervisors Reports
8. Report on FY 86-87 Proposed Budget
9. Set Date for FY 86-87 Budget Hearing
10. Claims
11. Minutes
12. Added items. . . .
13. Adjournment

This notice is given pursuant to Chapter 28A, Code of Iowa and the local rules of said governmental body.

DATE POSTED: February 14, 1986

BY: Mark Nichols

Title: City Clerk

The Mayor also stated that this is the time and place for a public hearing on the proposal to sell the old fire station. The City Attorney reported on the legal purpose of the hearing. He also reported on how the City proposes to sell the real estate. He stated that the City proposes to sell the building by sealed bids at the March 17th Council meeting. The building will be sold to the highest bidder with the City reserving the right to reject any and all bids. The bids must be accompanied by a 20% downpayment with the unsuccessful bidders having their money returned by the end of the next day. The successful bidder will be required to sign a formal contract by the end of the next business day. The City Attorney stated that the Council has tentatively set a possession date of July 1, 1986. He stated that if the building is not sold by this method, the City would consider utilizing a public auction or to list it with local realtors. A question arose regarding the appraisal of the building which the City recently had undertaken. The City Attorney replied that this report was confidential and was not available to the public. Marvin Schultz, from the Madison County Ambulance Service, stated that they would like to see the possession date pushed back to August 1st. He stated that this would give them some additional time to make arrangements to move their operations to another location. The Council considered this request and discussed it for a period of time. The Mayor then asked for other comments from the public regarding the proposed sale of the building. There being no further comments, the Mayor declared that the public hearing was now closed.

Councilman Harrell then introduced Resolution 86-15 and moved for its adoption. Councilman Breeding seconded the motion to adopt the resolution. Roll call vote:

AYES: Breeding, Callison, Gilleland, Harrell

NAYS: None

ABSENT NOT VOTING: Olson

Whereupon the Mayor declared the following resolution duly adopted.

RESOLUTION 86-15
RESOLUTION PROPOSING SALE OF PROPERTY AND
FIXING DATE FOR TAKING OF BIDS

WHEREAS, the City has proposed to sell real estate described as:

S. 63 1/2 ft. of E. 1/3 of Lot 8, Blk. 17
Original Town of Winterset

and,

WHEREAS, pursuant to state law, the City Council has conducted a public hearing on the proposal to sell the real estate,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the City hereby proceed with plans to sell the above described real estate.

BE IT FURTHER RESOLVED that the method by which the real estate is to be sold is as follows:

Sale of real estate is scheduled for March 17, 1986 at 7:30 P. M. The City will accept sealed bids for the selling of the building with bids to be accepted until 7:30 P. M. on March 17, 1986. The City reserves the right to reject any and all bids. A downpayment of 20% of the bid price, in the form of certified funds, is to be submitted with the bid. Unaccepted bids will have the downpayment returned by no later than the next business day. The successful bidder must sign a formal real estate contract no later than the close of the next business day. The balance will be due on closing which is expected to be no later than June 30, 1986. The City will provide an Abstract of Title showing marketable title to the real estate. Possession date will be no later than August 1, 1986.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to cause notice of the taking of bids for the sale of this real estate to be published in an appropriate manner.

PASSED and APPROVED this 17th day of February, 1986.

Bernard Morrissey, Mayor

ATTEST:

Mark Nitchals, City Clerk

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NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: Winterset City Council

Date of Meeting: March 17, 1986

Time of Meeting: 7:30 P. M.

Place of Meeting: City Hall

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Call to Order, Roll Call
2. Adopt Agenda
3. Bid Opening - Sale of Old Fire Station
4. Department Supervisor Reports
5. Sewer Plant Inspection Report
6. EPC Energy Conservation Project
7. Claims
8. Minutes
9. Added items. . . . . .

This notice is given pursuant to Chapter 28A, Code of Iowa and the local rules of said governmental body.

DATE POSTED: March 13, 1986

BY: Mark Tilton

Title: City Clerk

The City Council of the City of Winterset, Iowa, met in regular session on March 17, 1986 in accordance with the above Notice and Call of Public Meeting. The roll was called with the following members of the Council in attendance:

PRESENT: Kenneth Callison, Duane Gilleland, Howard Harrell, Jim Olson

ABSENT: Larry Breeding

Mayor Bernard Morrissey present and presiding.

A motion was made by Councilman Callison, seconded by Councilman Gilleland, to adopt the agenda as proposed. On a voice vote, the motion carried.

The Mayor then stated this is the time and place for opening and considering bids for the sale of the Old Fire Station. The Clerk reported that two bids had been received prior to the deadline of 7:30 p.m. Bids were opened and announced as follows:

Madison County Tire, Inc.,	$12,005.00
Roy E. Green	$11,111.11

The Clerk reported that both of these bids were submitted on the required real estate contract form and that both bids were accompanied by bid security equal to 20% of their bid. Following a brief period of discussion, Councilman Gilleland introduced Resolution 86-21 and moved for its adoption. Councilman Olson seconded the motion. Roll call vote:

AYES: Gilleland, Harrell, Olson

NAYS: Callison

ABSENT NOT VOTING: Breeding

Whereupon the Mayor declared the following resolution duly adopted.

RESOLUTION 86-21
RESOLUTION APPROVING SALE OF REAL ESTATE

WHEREAS, the City Council has proposed to sell certain real estate legally described as:

So. 63 1/2 ft. of E. 1/3 of Lot 8, Blk. 17,
Original Town of Winterset

This property is more commonly known as the Old Fire Station, and

WHEREAS, the City Council conducted a public hearing on the proposed sale of this real estate on February 17, 1986, and

WHEREAS, bids have been submitted for purchase of this real estate with the best bid being submitted by Madison County Tire, Inc., in the amount of $12,005.00, and

WHEREAS, said bid was submitted on the specified bid forms/Real Estate Contract form and was accompanied by a certified check in the amount of $2,401.00 which is equal to 20% of the purchase price,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winterset, Iowa, that the bid submitted by Madison County Tire, Inc., in the amount of $12,005.00 for sale of real estate generally described as the old Fire Station be hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to enter into contracts on behalf of the City and to sign title and deed over to Madison County Tire on behalf of the City of Winterset, Iowa.

PASSED and APPROVED this 17th day of March, 1986.

Bernard Morrissey, Mayor

ATTEST:

Mark Nitchals, City Clerk