

Special Meeting of the
Greenville City Council
held in the Council Chambers
On Thursday, January 29, 2009

Call to Order: The special meeting of the City Council was called to order on January 29, 2009 at 6:40 p.m. by Mayor Alan Gaffner.

Roll Call: Present: Mayor Alan Gaffner, Councilman Kenny Hampton, Councilman Charles Ireland, Councilman Marshall Mollet, and Councilman Roger Sanders.

Also Present: City Attorney Patrick Schaufelberger, City Manager David Willey, and City Clerk Margaret Iberg.

Pledge of Allegiance: The pledge of allegiance to the United States flag was recited.

Special Meeting: Notice of the special meeting having been given as provided by law, said meeting was called for the consideration of the following agenda:

1. Ordinance to enter into agreement to purchase real estate
2. Ordinance to enter into agreement to finance real estate
3. Resolution to declare property surplus and direct staff to conduct a sale of the property
4. Enter into record the written certified appraisal of a state certified appraiser
5. Enter into lease/purchase and development agreement showing purchase price to be greater than 80% of appraised value
6. Zoning Board of Appeals recommendation - special use permit request by Ronald Abert
7. Liquor license - FKG Oil Company d/b/a/ Greenville Motomart #3127
8. Liquor license - Casey's Retail Company d/b/a Casey's General Store
9. Authorization to purchase water line supplies

Executive Session: At their November 25, 2008 meeting, the Zoning Board of Appeals

Sale of Real Estate,
Section 2 (c) (6);
Purchase of Real Estate,
Section 2 (c)(5);
Pending Litigation,
Section 2 (c)(11);
Personnel, Section 2 (c)
(1) of the Open
Meetings
Act. Ordinance No.
2812

**Special Use Permit
and Variances:**

considered a request by L & K Properties to grant a special use permit to allow a residential use of the structure at 410 S. Prairie Street. Currently, Ronald Abert owns and resides in the structure that was formerly used as a church in his ministry. Mr. Abert wishes to sell the property and move out of state. L & K Properties has offered to purchase the property to use as a residential rental. The lot area is only 1,650 sq. ft. while city code requires 8,000 sq. ft.; the front and rear yard setbacks are non-conforming; and a residential structure would require a special use permit. After consideration of all information, the Board recommended the council deny the request.

While the council appreciated the efforts of the Zoning Board of Appeals, it was noted that Mr. Abert’s only alternative was to remove the structure and sell the lot. Neither adjoining property owners wish to acquire the property and it could not be utilized without a special use permit and/or variances. Mr. Abert stands to lose his financial equity in the property.

Moved by Mollet, seconded by Gaffner to grant the requested special use permit to allow a residence in a B-2 Business zone, and grant side and rear yard variances (see ordinance on file for full text).

Ayes: Mollet, Gaffner, Hampton, Ireland, Sanders
Nays: none
Absent: none

Motion carried

**Liquor License for
Motomart:**

Having completed the application process and made payment of the appropriate fee, moved by Gaffner, seconded by Ireland to grant a Class B service station/convenience store liquor license to FKG Oil Company d/b/a Motomart #3127.

Ayes: Gaffner, Ireland, Hampton, Mollet, Sanders
Nays: none
Absent: none

Motion carried.

**Liquor License for
Casey's:**

Having completed the application process and made payment of the appropriate fee, moved by Gaffner, seconded by Sanders to grant a Class B service station/convenience store liquor license to Casey's Retail Company d/b/a Casey's General Store #1781.

Ayes: Gaffner, Sanders, Hampton, Ireland, Mollet
Nays: none
Absent: none

Motion carried.

**Ordinance No. 2813
Authorizing Purchase
of Real Estate:**

Assistant City Manager Lisa Stephens introduced Joe Koppeis of Columbia who has previously indicated intent to develop a strip mall with grocery store and restaurant in Greenville. Also introduced were owners and staff of Buchheit Enterprises from Missouri who would like to bring a farm and home supply store to Greenville. Jon Buchheit, vice-president of retail sales, gave the council an overview of the products and services their store can provide.

In order to facilitate the location of a new business and provide additional real estate for commercial development, moved by Hampton, seconded by Mollet, to pass Ordinance No. 2813, an ordinance authorizing the city to purchase 16.6 acres and a 72,000 sq. ft. building from Baldwin Enterprises, property formerly know as the Value City store on Route 40, for \$1.7 million (see ordinance on file for full text).

Ayes: Hampton, Mollet, Ireland, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Mayor Gaffner expressed the council's appreciation to City Manager David Willey and Assistant City Manager Lisa Stephens for their extensive efforts in completing this project. He also welcomed Buchheit Enterprises and Mr. Koppeis to the community.

Ordinance No. 2814
Authorization to
Secure Real Estate
Purchase Financing:

Moved by Sanders, seconded by Ireland, to pass Ordinance No. 2814, an ordinance authorizing the city to secure a \$1.7 million loan from National Bank to finance the purchase of 16.6 acres and a 72,000 sq. ft. building. Said loan will be for 10 years with a fixed rate of 4.39% interest (see ordinance and loan documents on file for full text).

Ayes: Sanders, Ireland, Hampton, Mollet, Gaffner
Nays: none
Absent: none

Motion
carried.**Resolution**
2009-02
Declaration of
Surplus Property:

Moved by Ireland, seconded by Mollet, to adopt Resolution 2009-02, a resolution declaring the 16.6 acres and 72,000 sq. ft. building purchased to be surplus real estate, and authorize the city manager to conduct a sale of the property (see resolution on file for full text).

Ayes: Ireland, Mollet, Hampton, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

Enter Into Record
Real Estate Appraisal:

Moved by Hampton, seconded by Sanders to enter into the city records an appraisal of the real estate being purchased. The appraisal was completed December 8, 2008 by Collier Appraisers, Ltd. for Baldwin Enterprises. Said appraisal shows the 16.6 acres and 72,000 sq. ft. building with parking lot valued at \$1,866,000 (see appraisal document on file for full text).

Ayes: Hampton, Sanders, Ireland, Mollet, Gaffner
Nays: none
Absent: none

Motion carried.

Lease/Purchase
Agreement:

City Manager Willey reviewed the lease/purchase agreement and development agreement with Buchheit Enterprises. The company will lease from the city, with option to purchase, approximately 13 acres and the 72,000 sq. ft. with parking lot area for \$18,000 per month for 10 years. The first three months will be interest only, and the city will only pay interest only for the first three months on its loan. Said lease payments will be made to a depository account with

National Bank from which loan payments will be made. The development agreement sets forth responsibilities of both parties for maintenance of the building and parking area, and use of roadways and sign placements.

Moved by Sanders, seconded by Hampton to enter into a lease/purchase agreement and development agreement with accompanying letter dated January 29, 2009 with The Great Eight, LLC, d/b/a Buchheit Enterprises, Inc. for the lease with option to purchase approximately 13 acres and 72,000 sq. ft. building for \$18,000 per month (see documents on file for full text).

Ayes: Sanders, Hampton, Ireland, Mollet, Gaffner
Nays: none
Absent: none

Motion carried.

**Purchase of Water
Line Materials:**

The city has been invited by Rural Development to apply for a \$99,000 RBEG grant to fund the water line extension to the American Farm Heritage Museum. Rural Development has indicated the grant will be approved and funded in their next cycle. Due to the rising costs of materials, it is proposed to order the piping at this time.

Moved by Mollet, seconded by Ireland, to approve the purchase of water line pipe and associated materials from Midwest Municipal Supply at a quoted cost of \$67,246 to be reimbursed from the grant from Rural Development. Also included in the grant funding will be \$15,800 in engineering.

Ayes: Mollet, Ireland, Hampton, Sanders, Gaffner
Nays: none
Absent: none

Motion carried.

**Recess to Executive
Session and
Adjournment:**

At 8:37 p.m., moved by Sanders, seconded by Mollet to recess to executive session for the purpose of Sale of Real Estate, Section 2 (c) (6); Purchase of Real Estate, Section 2 (c)(5); Personnel, Section 2 (c) (1); Pending Litigation, Section 2 (c)(11) of the Open Meetings Act. The regular meeting adjourned at the close of the executive session at 9:20 p.m.

Ayes: Sanders, Mollet, Hampton, Ireland, Gaffner

Nays: none
Absent: none
Motion carried.

City Clerk