

**NOTICE AND CALL OF PUBLIC MEETING**

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: DECEMBER 5, 2011

TIME AND PLACE OF MEETING: 7:00 P.M. AT CRESCO CITY HALL

PUBLIC NOTICE IS HEREBY GIVEN THAT THE ABOVE MENTIONED GOVERNMENTAL BODY WILL MEET AT THE DATE, TIME AND PLACE SET OUT ABOVE. THE TENTATIVE AGENDA FOR SAID MEETING IS AS FOLLOWS:

ROLL CALL: BLAKE, BOUSKA, MOORE, McCARVILLE, LOVELESS

ACT ON THE CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time council votes on the motion.

1. Approval of the Agenda
2. Approval of the Claims
3. Approval of Minutes from November 21, 2011
4. Approval of Tax Abatement Under the Urban Revitalization Plan for Aaron and Cindy Butikofer
5. Approval of Class B Beer (BB) (Includes Wine Coolers) and Sunday Sales to Sky Ventures LLC d/b/a Pizza Hut #13793
6. Approval of Class C Liquor License (LC) (Commercial) with Outdoor Service and Sunday Sales to Howard County Agricultural Society d/b/a Mighty Howard County Fair - Howard County Expo Center

STAFF REPORTS: There may be action taken on each of the items listed below.

1. Public Works
2. Police
3. Administration

BUSINESS: There may be action taken on each of the items listed below.

1. Report on Phase 1 of the Environmental Assessment on the Alliance Store
2. Public Hearing to Open Sealed Bids and Sale by Auction of Building at Lot 5, Block 3, Park Addition to the City of Cresco
3. Resolution Authorizing Sale of Real Estate
4. Third Reading of Proposed Ordinance 438 Amending Chapter 90 Regarding Connection Regulations and Fees for Connections Outside the City Limits
5. Approval of Ordinance 438 Regarding Connection Fees

COMMENTS FROM AUDIENCE:

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO CHAPTER 28A, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL BODY. POSTED DECEMBER 1, 2011.

NOTICE OF PUBLIC HEARING AND  
SOLICITATION OF BIDS FOR SALE OF REAL ESTATE

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of the City of Cresco, Iowa will meet in regular session in the City Council Chambers at City Hall in the City of Cresco, Iowa on the 5<sup>th</sup> day of December, 2011, at 7:00 PM for the purpose of opening sealed bids and conducting a public hearing, discussion and passage of a resolution, which resolution authorizes the Mayor and City Clerk of the City of Cresco, Iowa to sell by auction sale the real estate described as:

Lot Five (5), Block 3, Park Addition to the City of Cresco, Howard County, Iowa

The City of Cresco, Iowa will accept sealed bids for the purchase of the above described real estate until 4:00 PM on December 5, 2011. All bids must be submitted to the office of the City Clerk at City Hall in Cresco, Iowa. Bids will be opened at the public meeting at City Hall in the City of Cresco, Iowa on the 5<sup>th</sup> day of December, 2011 at or after 7:00 PM. All bidders who wish to raise their bid must be present at the City Council meeting at that time in order to be eligible to raise their bid after the bids are opened. The City Council will proceed to auction the property among those bidders for the highest and best responsible bid. Only those persons submitting a written sealed bid will be eligible to participate in the auction sale bidding by increasing their bid at the auction sale. Conditions of the sale are:

A minimum bid of not less than \$3,000 (three thousand dollars) is required.

The City reserves the right to reject any or all bids and reserves the right to determine whether a bid is responsible and in the best interest of the City.

The City of Cresco will give possession of the real estate to purchaser at the time of closing. Possession and closing shall occur as soon as possible upon preparation of all legal documents. The terms and conditions contained in the purchase agreement drafted by the city's attorney shall be applicable to the transaction and binding on the purchaser.

The City will convey title to the real estate by Quit Claim Deed and buyer shall pay any abstracting and recording expenses.

An abstract of title to the property continued to May 2, 2011 will be provided.

The structure on the property must be demolished or rehabilitated to the City's satisfaction within 90 days of the date of closing such that the property no longer constitutes a public nuisance.

The property is sold as is, with no representations of warranties, express or implied. The property is not habitable and is a public nuisance in its present condition.

If the City accepts a highest and best bid, that bidder will be presented with a purchase agreement containing the above conditions and any other conditions the City may require and announce at the time the bids are opened.

*Michele Gudmund*  
City Clerk