

SPECIAL MEETING November 17, 2017

ACKLEY CITY COUNCIL met in special session, November 17, 2017, in the City Hall Council Chambers with Mayor Erik Graham presiding. The meeting was called to order at 4:00 p.m. Council members present: Sue Ibeling, Joe Wessels, and Dale Brass. Absent: Al Jones and Robert Harms. Quorum present.

Ibeling moved, Brass seconded, to approve the November 17, 2017 Agenda as listed. Ayes-Ibeling, Wessels, Brass. Absent-Jones, Harms. Motion carried.

Discussion was held regarding the properties known as 728 and 734 Main Street, Ackley, Iowa. Fire Chief Tim Eichmeier gave an update of events since the Council meeting on Tuesday. He stated that the State Fire Marshal recommends no unauthorized entry to the buildings or neighboring buildings. He informed the Council that Allen's contractor does not think he wants to be involved any longer. The City called in another contractor and when they went in the building they discovered that a wall on the first floor had fallen causing a water leak. Eichmeier feels that the buildings are not repairable and must be demolished. The contractor felt the same. Mike Smith, City Attorney, informed the Council that they have the emergency power to make the property safe. The Council can order what needs to be done, and give the property owner time to do it, if there is time, otherwise the City can have the work done. A notice has already been sent to the property owners. Mayor Graham meet with a contractor today who gave a verbal estimate of \$200,000-250,000 to take it down, but they were not sure they wanted to do it, and if they did it wouldn't be until January. Mayor Graham stated this time frame was not acceptable. Judy Crawford, Council Member-Elect, asked if other property owners realized that there will be expenses to fix up their buildings. She also asked if the Allen's could be given a chance to get a contractor in within a time frame versus the City picking the contractor. Smith stated that it comes down to who can get a contractor to do the work the fastest. If the Allen's get someone first, the City can defer to them. The City is taking steps it needs to move forward as it may be difficult for the owners to come up with the money to do it. Wessels asked Wyatt Allen what they were going to do. Allen stated he doesn't think it can be fixed and said it is okay if the City finds someone to tear it down. Allen also stated that their insurance company has abandoned them. Wessels then asked about the bank's involvement. Allen said that the bank has been notified. Smith stated that if the property is a negative asset then the bank will probably walk away also. He said what will probably happen is that the City will do the work, assess it to the property, and ultimately the City will end up owning the property if the owner can't pay. While the financial side is an issue, it was agreed that for the other buildings and for safety, these buildings needed to come down. Smith informed the Council that a motion needed to be made to go forward. Bids should then be brought back to the Council for approval at a special meeting. Smith also stated that due to the emergency nature of the situation that the rules on bidding are not as strict and that timeliness is more

important. Ibeling moved, Brass seconded, for the City to get bids on demolishing the buildings. Roll call vote: Ayes-Ibeling, Brass, Wessels. Absent-Jones, Harms. Motion carried.

Eichmeier explained to the Council that because of the asbestos and lead in the buildings there would be more rules to move the materials once tore down. The buildings could be knocked down to make it safe, but the City would need to contact the DNR before it is hauled away.

With no further discussion, Ibeling moved, Brass seconded, to adjourn at 4:30 p.m. Ayes-Ibeling, Wessels, Brass. Absent-Jones, Harms. Motion carried.

Erik Graham, Mayor

ATTEST: _____
Kelly DeBerg, City Clerk