

**PUBLIC PROPERTY COMMITTEE MEETING MINUTES  
MAY 21, 2009 – 6:30 P.M.**

Chairman Ulmer called the meeting to order at 6:30 p.m. Committee members present were Aldermen Ulmer, Perkins, Marzahl and Adams. Also present were Mayor Nolan, City Administrator Nelson, City Clerk Wells, Aldermen Szczap, Logan and Opper and Sam Eliot, 201 Shawnee Lane and Vick Jodish, 115 Shawnee Lane.

**SALE OF PROPERTY**

Sam Eliot and Vick Jodish addressed the Committee about purchasing a lot in Park Pointe Subdivision. The subject property is adjacent to their property and would be Dewey Street east if it were to be extended. Administrator Nelson noted the property in question is 66' x 132' and is a buildable lot. There was discussion as to whether or not the property was in the FEMA flood plain. Administrator Nelson stated that he has map amendments on file from when subdivision was subdivided and developed which certify that the elevation is not in the 100 year floodplain. Since then FEMA changed it's rules and indicated that the Letters of Map Amendment are no longer valid and according to FEMA, the property is now listed as being in the flood plain. Mr. Jodish went through the process to obtain a LOMA on his property and Mr. Eliot was able to successfully argue the point with FEMA because he has an English walkout basement with nothing below grade.

Administrator Nelson noted that under federal law, the property in question would not have to be bid but could be vacated because it is a road right-of-way at a cost to be agreed upon. Bidding would be required if the City were to lease the property.

Chairman Ulmer and Alderman Adams expressed concern that vacating the property would put a boundary on the east side of Park Pointe for further expansion as well as the ability to get in and out of the subdivision. Mayor Nolan did not feel there would be expansion on that side due to the cost that it would take to develop the property. Alderman Logan noted his only concern had been whether or not that road stub would ever get completed as an access point for Park Pointe which at this point seems unlikely.

Alderman Ulmer felt that because the property is buildable, the city should sell it at fair market value. The committee discussed the best procedure to determine market value. Administrator Nelson noted the City is currently dealing with foreclosures in current subdivisions on vacant land and will find out in the next couple months what the fair market value is through the courts.

The general consensus was to move forward with the concept to vacate the property to Mr. Eliot and Mr. Jodish and to revisit in a couple of months after the City has a better idea as to value of the property.

At 6:57 p.m., moved by Adams, seconded by Marzahl to adjourn the meeting. All ayes. Motion carried.

Submitted by:  
Chairman Ulmer