

City of Columbus
Closed City Council Meeting
12.12.18

The 12.12.18 closed meeting of the City of Columbus City Council was called to order at 8:41 p.m. by Mayor Dave Povolny at the City Hall. Present were Council Members Jeff Duraine, Denny Peterson, Bill Krebs, and Mark Daly; City Administrator Elizabeth Mursko, City Attorney Bill Griffith, City Engineer Dennis Postler, and Public Communications Coordinator Jessica Hughes.

A. CITY COUNCIL CLOSED MEETING – NE & SE Quad Land

City Attorney Bill Griffith presented a Purchase Agreement with JAMP for the SE TH 97/I 35 quadrant. JAMP is a partnership between Phil Hoey and Tom Holmquist from HyVee. This purchase agreement is not for the HyVee store but for a complimentary, and not competitive, use to the HyVee planned for the NE quadrant.

The price on the purchase agreement is \$395,000 which is based on the same rate used in the NE quadrant. Mayor Povolny asked if the earnest money would also be set at \$20,000 like the NE quadrant purchase agreement? Griffith replied that the earnest money for this purchase agreement is set at \$10,000 because the site is smaller and it will be the first phase of the project to be completed. He continued to explain that the buyer will have certain contingencies relating to the purchase agreement, and if they are unable to meet those contingencies the City holds the earnest money. If they cancel before a certain date, the earnest money will be returned.

The vision for the site is commercial destinations like offices, which will contrast the convenience location planned for the NE quadrant. There will be a standalone building, as that has already been approved by the Rice Creek Watershed District. Griffith added that they are unable to fill wetlands on the property. There is slightly more upland on the site than originally thought because the location of some ponds have been moved.

Krebs commented that it seems like the developer is intentionally trying to stop a competitor from locating nearby. Griffith replied that it is their intention. He continued to say that he fears without securing the SE quadrant HyVee may lose motivation to locate in the NE quadrant. If the buyer does not acquire property in the NE quadrant in accordance with the NE purchase agreement, then the purchase agreement for the SE quadrant will automatically terminate. Also, it will be difficult for a new developer to locate there because they will have to work around the extensive amount of wetlands.

Griffith added that because the City Council added convenience as a permitted use in that district, the developer will not be required to get a Conditional Use Permit for the business, which will speed up their process.

Motion by Duraine to approve the purchase agreement with JAMP for the SE I-35 and TH 97 quadrant at a cost of \$395,000. Seconded by Krebs. Motion carried unanimously.

At 8:52 p.m. Mayor Povolny reopened the closed meeting.

Respectfully Submitted:

Jessica Hughes, Public Communications Coordinator