

NOTICE OF A SPECIAL COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF **NORTH KANSAS CITY, MISSOURI,**

January 26, 2021 6:00 PM

NOTICE IS HEREBY GIVEN that the City Council of the City of North Kansas City, Missouri, will conduct an open virtual Special Council Meeting at 6:00 p.m. on Tuesday, January 26, 2021.

As a precautionary measure during the Covid-19 Pandemic, this meeting will be held virtually, with the Mayor, City Council members and City staff joining the meeting through an on-line platform.

- 1. **Call Meeting to Order**
- 2. Fourth Amendment to Agreement for Option to Purchase Property – Gallery Lofts {Bill No. 7573 (Ordinance No. 9370)



Before the Council for approval is a Fourth Amendment to Agreement for Option to Purchase Property between the City and the developer of Gallery Lofts. The Fourth Amendment will (1) provide an updated and complete legal description of the Property that is the subject of the Agreement; (b) provide for the delivery by the City of Special Warranty Deed at Closing in lieu of a Quit Claim Deed; and (c) extend the Closing Date to no later than February 26, 2021. Staff recommends approval.

Allocations - Harrah's Charitable Fund 3.



4. **Adjournment**

This open Special Council Meeting of the City Council of the City of North Kansas City, Missouri, has been duly called pursuant to the provisions of Section 2.04.030 of the Code of the City of North Kansas City, Missouri, by the undersigned Mayor of the City of North Kansas City, Missouri.

DONE this 22nd day of January 2021, at 5:00 p.m.

Don Stielow, Mayor

Representatives of the news media may obtain copies of this notice by contacting:

Crystal Doss, City Clerk, City Hall 2010 Howell Street North Kansas City, Missouri 64116 Telephone No. (816) 412-7815



2010 Howell NORTH KANSAS CITY, MO 64116 TEL: (816) 274-6000 FAX: (816) 421-5046 www.nkc.org

MEMORANDUM

To: Mayor; City Councilmembers

FROM: Thomas E. Barzee, Jr., City Counselor

RE: Fourth Amendment/Addendum to Agreement for Option to Purchase Property

Between the City and Yarco-Devco, LLC-Modifying Type of Instrument to

Transfer Title, Correcting Legal Description and Extending Closing Date.

DATE: January 26, 2020

CC: Eric Berlin, City Administrator

I. PURPOSE

If enacted by the City Council and approved by the Mayor, the attached ordinance will approve the Fourth Amendment to Agreement for Option to Purchase Property (the "Fourth Amendment") between the City of North Kansas City, Missouri (the "City") and Gallery Lofts Investor Partner, LP (the "Developer") dated February 6, 2018 (the "Option Agreement"), which has previously been amended on three occasions for the purpose of extending the option period. The Fourth Amendment will (1) provide an updated and complete legal description of the Property that is the subject of the Agreement; (b) provide for the delivery by the City of Special Warranty Deed at Closing in lieu of a Quit Claim Deed; and (c) extend the Closing Date to no later than February 26, 2021. The Developer has requested the change in the type of instrument that will be used to convey title to the Developer from a Quit Claim Deed to a Special Warranty Deed. Though the conveyance instrument has been clearly stated as being a "quit claim deed" for nearly three years, the title company just advised the Developer that it required a special warranty deed rather than a quit claim deed for this transaction. No one on behalf of the Developer had ever objected to the use of a quit claim deed in this transaction. 1 Neither I nor Steve Sparks at the Bryan Cave Leighton Paisner law firm object to the use of a special warranty deed. We simply wish the request to change the instrument would have been made earlier.

¹ A special warranty deed is a deed to real estate where the grantor (the seller of the property) warrants only against anything that occurred during the grantor's physical ownership. In other words, the grantor does not guarantee against any defects in clear title that existed before the grantor took possession of the property. A quit claim deed conveys whatever interest the grantor currently has in the property, if any. The grantor only "remises, releases, and quitclaims" its interest in the property to the grantee. There are no warranties or promises regarding the quality of the title.

MEMO TO MAYOR AND CITY COUNCIL

RE: Fourth Amendment to Agreement for Option to Purchase with Gallery Lofts Investor Partner, LP

January 26, 2021

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Though the real estate transaction is presently set to close on January 28, 2021, in order to avoid coming back to the City Council in the event a problem is encountered between now and the closing, I have suggested that the deadline to close be extended to no later than February 26, 2021, and that a non-substantive typographical error be corrected in the legal description.

II. BACKGROUND INFORMATION

As you are aware, the City is currently the owner of certain real property located at 1007 Armour Road (the location of the former White Castle restaurant). The former White Castle property is the property that originally was the subject of a certain Agreement for Option to Purchase Property with Matt Adam Development Co., Inc., ("Matt Adam"), dated February 6, 2018, which option was approved by passage of Ordinance No. 9061. With the prior approval of the City, on April 3, 2019, Matt Adam assigned the Option Agreement to Yarco-Devco, LLC, which assignment was approved by the City with the passage of Ordinance No. 9186 on April 2, 2019. Subsequently, on August 27, 2020, Yarco-Devco, LLC assigned the Option Agreement to Gallery Lofts Investor Partner, LP, which assignment was approved by the City with the passage of Ordinance No. 9354 on November 3, 2020. In addition to the former White Castle property, at the request of the Developer, the City has also agreed to sell a relatively small strip of property immediately to the west of the former White Castle property. By action of the City Council on June 2, 2020, Ordinance No. 9306 was enacted removing the strip of land from the terms of the Operating Agreement with the YMCA.

In order to proceed with closing, it is requested that the City Council consider and approve the Fourth Amendment. By passage of the ordinance, the Option Agreement will be amended to (i) provide an updated and complete legal description of the Property that is the subject of the Agreement; (ii) provide for the delivery by the City of a special warranty deed at Closing in lieu of a quit claim deed; and (iii) extend the Closing Date to no later than February 26, 2021.

Hopefully, this memorandum has been helpful, but, of course, should you have any questions or comments, please do not hesitate to contact me.

AN ORDINANCE ADOPTING AND APPROVING FOURTH AMENDMENT TO AGREEMENT FOR OPTION TO PURCHASE PROPERTY BY AND BETWEEN THE CITY OF NORTH KANSAS CITY, MISSOURI, AND GALLERY LOFTS INVESTOR PARTNER, LP, REGARDING CERTAIN REAL PROPERTY GENERALLY LOCATED AT AND ADJOINING 1007 ARMOUR ROAD IN NORTH KANSAS CITY, MISSOURI.

WHEREAS, the City of North Kansas City, Missouri (the "City") is a body corporate, a third class city and political subdivision of the State of Missouri, duly created, organized and validly existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, upon passage of Ordinance No. 9061, the City entered into a certain Agreement for Option to Purchase Property with Matt Adam Development Co., Inc., a Kansas corporation ("Matt Adam"), dated February 6, 2018 (collectively with all prior amendments, the "Agreement"); and

WHEREAS, on April 3, 2019, Matt Adam assigned the Agreement to Yarco-Devco, LLC, a Missouri limited liability company (the "Yarco"), which assignment was approved by the City by passage of Ordinance No. 9186 on April 2, 2019; and

WHEREAS, as of August 27, 2020, Yarco assigned the Agreement to Gallery Lofts Investor Partner, LP, a Missouri limited partnership (the "**Developer**"), which assignment was approved by the City by passage of Ordinance No. 9354 on November 3, 2020; and

WHEREAS, the Developer desires to redevelop certain real property in the City, which property is legally described as Lot 1, NORTH KANSAS CITY GALLERY LOFTS, North Kansas City, Clay County, Missouri, according to the recorded plat thereof (the "Property"); and

WHEREAS, the City is the owner in fee simple title to the Property for which the Developer seeks to modify the Agreement;

WHEREAS, the Developer has been approved to receive certain tax credits for its redevelopment project in the City; and

WHEREAS, on November 3, 2020, the City approved the Development Agreement between the parties by passage of Ordinance No. 9356 and authorized the Mayor to execute the Development Agreement on behalf of the City; and

WHEREAS, the City and the Developer entered into the Development Agreement dated November 3, 2020, with respect to the Property (the "Development Agreement"), which, controls the parties' respective rights and obligations regarding the ownership, use, development, and operation of the Property after the closing on the Property; and

WHEREAS, the City and the Developer desire to enter into the Fourth Amendment to Agreement for Option to Purchase Property (the "Fourth Amendment") for the purpose of (1) providing and updated and complete legal description of the Property that is subject to the Agreement; (b) providing for the delivery by Optionor of Special Warranty Deed at Closing in lieu of a Quit Claim Deed; and (3) extending the Closing Date to no later than February 26, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH KANSAS CITY, MISSOURI, AS FOLLOWS:

- Section 1. Finding of Best Interest to Amend Agreement. The City Council of North Kansas City hereby finds and declares that it is in the best interest of the citizens and City of North Kansas City to amend the Agreement for Option to Purchase Property between the City of North Kansas City, Missouri and Gallery Lofts Investor Partner, LP.
- Section 2. Authorization of Fourth Amendment. The provisions of the Fourth Amendment are hereby approved and adopted by the City Council of the City of North Kansas City, Missouri. The Mayor and the City Clerk are hereby authorized and directed to execute the Fourth Amendment on behalf of the City of North Kansas City, Missouri. The City Council hereby authorizes the City to enter into the Fourth Amendment with the Developer for the purposes set forth therein, which Fourth Amendment shall be in substantially the form of "Exhibit 1", attached hereto and incorporated herein by reference.
- Further Authority. The City shall, and the mayor, city clerk, city officials Section 3. and employees of the City are hereby authorized and directed to take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.
- Section 4. Severability. The sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.
- Section 5. Governing Law. This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.
- Effective Date. This Ordinance shall be in full force and effect from and Section 6. after its passage by the City Council and approval by the Mayor.

(Remainder of page intentionally left blank)

	PASSED this 26 th day of January, 2021.
	Don Stielow, Mayor
ATTEST:	
Crystal Doss, City Clerk	
	APPROVED this 26 th day of January, 2021.
	Don Stielow, Mayor
APPROVED AS TO FORM:	
Anthony W. Bologna, City Attorney	Thomas E. Barzee, Jr., City Counselor

FOURTH AMENDMENT TO AGREEMENT FOR OPTION TO PURCHASE PROPERTY

THIS FOURTH AMENDMENT TO AGREEMENT FOR OPTION TO PURCHASE PROPERTY (this "Amendment") is entered into this 26th day of January, 2021, by and between the CITY OF NORTH KANSAS CITY, MISSOURI, a municipal corporation duly organized under the laws of the State of Missouri (the "Optionor"), and GALLERY LOFTS INVESTOR PARTNER, LP, a Missouri limited partnership (the "Optionee"), with Optionee and the City each referred to herein as a "Party" and collectively the "Parties."

WHEREAS, the Optionor entered into a certain Agreement for Option to Purchase Property with Matt Adam Development Co., Inc., a Kansas corporation ("Matt Adam"), dated February 6, 2018, and the Agreement for Option to Purchase was amended by that certain First Amendment/Addendum to Agreement for Option to Purchase Property dated January 15, 2019 between Matt Adam and Optionor, as further amended by that certain Second Amendment/Addendum to Agreement for Option to Purchase Property between Optionor and Yarco-Devco, L.L.C. dated December 17, 2019 and by that certain Third Amendment to Agreement for Option to Purchase Property between Optionee dated November 3, 2020 (collectively, the "Agreement").

WHEREAS, on April 3, 2019, Matt Adam assigned the Agreement to Yarco-Devco, L.L.C., which assignment was approved by the Optionor upon passage of Ordinance No. 9186 on April 2, 2019.

WHEREAS, on August 27, 2020, Yarco-Devco, L.L.C., assigned the Agreement to Optionee, which assignment was approved by the Optionor upon passage of Ordinance No. 9354 on November 3, 2020.

WHEREAS, the Optionee desires to redevelop certain real property in North Kansas City, which property is legally described as follows: Lot 1, NORTH KANSAS CITY GALLERY LOFTS, North Kansas City, Clay County, Missouri, according to the recorded plat thereof (the "**Property**").

WHEREAS, the Optionor is the owner in fee simple title of the Property for which the Optionee seeks to purchase.

WHEREAS, the Optionor and the Optionee have negotiated the terms and conditions of a development agreement with respect to the Property ("Development Agreement"), which, upon approval and execution by the Parties, will memorialize certain rights and obligations of each Party in relation to the development of a multi-family development in the North Kansas City limits, more particularly described therein and referenced herein as the "Project". The Development Agreement will control the Parties' respective rights and obligations with respect to the ownership, use, development, and operation of the Property after the closing.

WHEREAS, the Parties desire to amend the Agreement for the purpose of (a) providing an updated and complete legal description of the Property that is the subject of the Agreement; (b) providing for the delivery by Optionor of Special Warranty Deed at Closing in lieu of a Quit Claim Deed; and (c) extending the Closing Date to no later than February 26, 2021.

NOW, THEREFORE, for mutual considerations, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

- 1. <u>Special Warranty Deed.</u> In lieu of the Optionor providing a Quit Claim Deed (as such term is described and defined in the Agreement), at the request of Optionee, Optionor is authorized to provide and deliver to Optionee, at the Closing, a Special Warranty Deed for the Property, in such form and content as approved by the Mayor. All references to "Quit Claim Deed" in the Agreement are hereby amended to read "Quit Claim Deed or Special Warranty Deed, as the case may be".
- 2. <u>Legal Description of Property.</u> Exhibit A, attached to and incorporated by reference in the Agreement, is hereby replaced in its entirety by the following:

All of Lot 1, NORTH KANSAS CITY GALLERY LOFTS, a subdivision in North Kansas City, Clay County, Missouri, recorded as Instrument Number 2020030953, Book I, Page 111.2 in the Office of the Recorder of Deeds, Clay County, Missouri.

- 3. <u>Extension of Closing Date.</u> The Closing Date deadline as provided for in the Agreement is extended to February 26, 2021.
- 4. <u>Definitions.</u> Terms not otherwise defined in this Amendment shall have the Definitions set forth in the Agreement.
- 5. <u>No Modification.</u> Except as specifically modified by this Amendment, each and every other term and condition of the Agreement for Option to Purchase Property shall remain unchanged and in full force and effect without modification.
- 6. <u>Counterparts.</u> This Amendment may be executed in counterparts, each of which shall be deemed an original but all of which, taken together, shall constitute one and the same instrument. Each Party may rely upon electronic mail counterparts of this Amendment signed by the other Party with the same effect as if such Party had received an original counterpart signed by such other Party.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREOF, the Optionor and the Optionee have duly executed this Amendment pursuant to all requisite authorizations as of the date first above written.

	a municipal corporation duly organized under the
	laws of the State of Missouri
	Don Stielow, Mayor
[SEAL]	
ATTEST:	
Crystal Doss, City Clerk	

OPTIONEE:

GALLERY LOFTS INVESTORS PARTNER, LP, a Missouri limited partnership

By: NKC Gallery Lofts GP, LLC, a Missouri limited liability company, its general partner

By: Gallery Lofts MGR, LLC, a Missouri limited liability company, its manager

By_____

Name: Jonathan Cohn

Title: Manager

		APPLICATIONS - HARRAH'S C	HA	RITAI	BLE FUND					
		2021				_				
Categories		Name of Organization Requesting Funds	Amount Requested In 2020		Amount Received In 2020		Re	Amount equesting In 2021	Amount Recommended for 2021	
Schools										
	1	NKC High School Library Media Center								
		Project: Wellness Zen Space		\$	1,000	\$	-	\$	2,000	
									No	
	2	Crestview Elementary School						_	Application	
		Project: Crestview After School Program		\$	5,000	\$	500		Submitted	
	3	Feed Northland Kids								
	3			_	0.000	_	0.000		0.000	
		Project: BackSnacks in North Kansas City	Н	\$	9,000	\$	9,000	\$		
						-			No	
	4	NKC High School Robotics Club				<u> </u>			Application	
		Project: NKC High Scool Robotics Club		\$	5,000	\$	1,000		Submitted	
<u>Medical Services</u>										
	5	Kansas City Hospice & Palliative Care								
		Project: Passages Counseling for Northland Families		\$	20,000	\$	-	\$	10,000	
	6	LevelUp Kids (Formerly Miles of Smiles, Inc.)								
		Project: Miles of Smiles Portable Dental		\$	7,000	\$	7,000	\$	7,000	
	7	Northland Health Care Access								
	/	Project: Access to Care Initiative		\$	10,000	\$	2,000	\$	10,000	
		Troject. Access to care illitative		7	10,000	7	2,000	+	10,000	
	8	COVERSA								
		Project: Year of the Nurse		\$	15,000	\$	-	\$	7,500	
	9	Life Unlimited Inc.								
		Project: Emergency Medical Program		\$	15,000	\$	5,000	\$	15,000	
Community Services					<u>.</u>		·	Ť	No	
	10	The Rabbit hOle				1			Application	
		Project: Rabbit hOle Bike Share Hub		\$	10,000	\$		_	Submitted	
									No	

		APPLICATIONS - HARRAH		MIIA	DEF LOIND					
Categories		Name of Organization Requesting Funds	L	Amount Requested In 2020		Amount Received In 2020		Re	Amount questing In 2021	Amount Recommended f
categories	11	Vocational Services, Inc.		+	2020		2020		pplication	2021
	111	Project: Business Equipment Expansion		\$	6,800	\$	2,000		Submitted	
					·					
	12	Firefighter's CSO of NKC								
		Project: Firefighter's CSO		\$	18,000	\$	15,000	\$	18,000	
									No	
	13	MU Extension Clay County						А	pplication	
		Project: Free MU Extension Classes		\$	7,000	\$	2,000	9	Submitted	
	14	First Baptist Churck of NKC								
	14	Project: Fire Notification		\$	25,000	\$	2,500	\$	15,000	
					·		·			
	15	NKC YMCA								
		Project: Addressing Food Insecurity		\$	20,000	\$	10,000	\$	9,000	
	16	5 Star Jazz Band		<u> </u>						
_		Project: 5 Star Jazz Band		\$	5,700	\$	2,000	\$	3,700	
	17	In As Much Ministry								
	17	Project: Client Services		\$	4,000	\$	2,000	\$	4,000	
					·		·			
	18	Hillcrest Ministries of Mid-America								
		Project: Rapid ReHousing for NKC Homeless		\$	15,000	\$	2,000	\$	15,000	
	19	Clay County 4-H		 						
		Project: 4-H All Access Goes Hi Tech		\$	5,000	\$	1,000	\$	6,000	
								40.0	200 1	
	20	Cub Scout Pack 4009 First Christian Church						\$20	000 to	

Project: Make Scouting More Affordable

NKC Rotary Charitable Fund

Project: NKC Rotary Engagement

21

\$500-\$1000

3,000

\$

\$

1,000

3,000

4,000

10,000

		APPLICATIONS - HARRAH'	S CHA	RITA	BLE FUND						
		2021									
Categories		Name of Organization Requesting Funds		Amount Requested In 2020		Amount Received II 2020		eived In	Amount Requesting In 2021		Amount Recommended fo 2021
- Categories	22	Northland Christmas Store									
		Project: Northland Christmas Store		\$	10,000		\$	2,000	\$ 2,500		
	23	Northland Symphony Orchestra Association NSO 2020-2021 Concert Season		\$	-		\$	-	\$ 2,000		
<u>Elderly</u>											
	24	Northland Shepherd's Center Project: Meals on Wheels		\$	10,000		\$	5,000	\$ 8,000		
Social Services											
	25	St. Patrick's Nottingham Society Project: Nottingham Fund		\$	6,000		\$	5,000	\$ 6,000		
	26	A Turning Point									
		Project: Basic Needs Services		\$	5,000		\$	3,000	\$ 5,000		
	27	Assistance League of Kansas City									
		Project: Operation School Bell		\$	10,000		\$	4,000	\$ 10,000 No	_	
	28	Northland Grandfamilies							Application		
		Project: Northland Grandfamilies		\$	5,000		\$	1,000	Submitted		
	29	Metropolitan Lutheran Ministry									
		Project: Homeless and Emergency Assistance		\$	10,000		\$	5,000	\$ 10,000		
	30	Northland Assistance Center	+								
		Project: Extend A Helping Hand		\$	7,500		\$	8,000	\$ 5,000		
	24	Friends of Clay County CACA 1	\perp								
	31	Friends of Clay County CASA, Inc Normalcy for Foster Children	+	\$	-		\$	-	\$ 6,000		
									,		
	32	St. Charles/St. Vincent de Paul Food Pantry Project: Food Pantry	\perp	\$	-	\dashv	Ċ	_	\$ 5,000		
		Floject. Food Falltry	+	+	-		\$	-	7 کررو		

APPLICATIONS - HARRAH'S CHARITABLE FUND									
	2021								
			Amount Requested In	Amount Received In		Amount Requesting In		Amount Recommended for	
Categories	Name of Organization Requesting Funds		2020	2020		2021		2021	
33	Transitions Family Visitation Center, Inc.								
	Supervised Visitation & Safe Exchange Program		\$ -	\$ -		\$ 8,000			
Service Organizations					•				
34	Bennett and Dennis Herrick Memorial Post 626								
	Project: American Legion Baseball		\$ -	\$ -		\$ 5,000			
	TOTAL ELIGIBLE REQUESTS		\$ 270,000	\$ 100,000		\$ 217,700		\$ -	

Minutes of the North Kansas City, Missouri Special City Council Meeting of January 26, 2021

The City Council met in special session on Tuesday, January 26, 2021, via an on-line platform at 6700 p.m. As a precautionary measure during the Covid-19 Pandemic, this meeting was held virtually, with the Mayor, City Council members and City staff joining the meeting through an on-line platform.

The following were present:

Mayor:

Don Stielow

Councilmembers:

Bryant DeLong Anthony Saper

Jesse Smith Lisa Tull

Zachary Clevenger

Rick Stewart Amie Clarke Tom Farr

Staff Present:

Eric Berlin, City Administrator

Kim Nakahodo, Assistant City Administrator

Kevin Freeman, Police Chief Dave Hargis, Fire Chief

Sara Copeland, Community Development Director

Pat Hawver, Public Works Director

Casey Campbell, Human Resources Manager

Nick Hawkins, Finance Manager Stephen Roberts, IT Manager Tom Barzee, City Counselor Crystal Doss, City Clerk

Mayor Stielow called the meeting to order at 6:00 p.m.

The roll was called. The following councilmembers were present: Amie Clarke, Tom Farr, Bryant DeLong, Anthony Saper, Jesse Smith, Lisa Tull, Zachary Clevenger, and Rick Stewart

Roll Call

Consideration of an Ordinance Adopting and Approving Fourth Amendment to Agreement for Option to Purchase Property By and Between the City of North Kansas City, Missouri, and Gallery Lofts Investor Partner, LP, Regarding Certain Real Property Generally Located At and Adjourning 1007 Armour Road in North Kansas City,

Ordinance No. 9370 – Fourth Amendment to Agreement for Option to Purchase Property – Gallery Lofts Special Council Meeting Minutes January 26, 2021 Page 2

Missouri (Bill No. 7573 (Ordinance No. 9370)). City Administrator Eric Berlin asked City Counselor Tom Barzee to present this item to Council. Mr. Barzee stated that before the Council for approval is a Fourth Amendment to Agreement for Option to Purchase Property between the City and the developer of Gallery Lofts. The Fourth Amendment will (1) provide an updated and complete legal description of the Property that is the subject of the Agreement; (b) provide for the delivery by the City of Special Warranty Deed at Closing in lieu of a Quit Claim Deed; and (c) extend the Closing Date to no later than February 26, 2021. Staff recommends approval. Discussion ensued. C. Clevenger moved that Bill No. 7573 be placed on first reading, seconded by C. Smith. The roll was called, and the vote was as follows: C. Clarke, yes - C. Farr, yes C. DeLong, yes - C. Saper, yes - C. Smith, yes, C. Tull, abstain - C. Clevenger, yes – C. Stewart, yes.. Motion carried, 7-0-1. Bill No. 7573 was read. C. DeLong moved that Bill No. 7573 be placed on second and final reading and passed as Ordinance No. 9370, seconded by C. Smith. The roll was called, and the vote was as follows: C. Clarke, yes - C. Farr, yes - C. DeLong, yes - C. Saper, yes - C. Smith, yes, C. Tull, abstain - C. Clevenger, yes - C. Stewart, yes. Motion carried, 7-0-1. Bill No. 7573 was read. Thereupon Mayor Stielow declared the motion carried and the Bill duly passed. Said Bill was then numbered 9370, was signed and approved by the Mayor and attested by the City Clerk.

Allocation of Harrah's Charitable Funds. The City Council reviewed the applications and determined allocations for applying organizations. The allocations will be formally approved at the Council's next regular meeting.

C. Clevenger moved to adjourn at 6:54 PM, seconded by C. Farr. The roll was called, and the vote was as follows: C. Clarke, yes – C. Farr, yes – C. DeLong, yes – C. Saper, yes – C. Smith, yes, C. Tull, yes – C. Clevenger, yes – C. Stewart, yes. Motion carried, 8-0.

Allocations – Harrah's Charitable Funds

Adjournment

Council Adjourned

Mayor

Attest:

Special Council Meeting Minutes January 26, 2021 Page 3

City Clerk

Approved this 2^{nd} Day of February 2021