

MINUTES OF MEETING TO ADOPT
RESTATED REVITALIZATION PLAN
AND PROVIDING FIRST
CONSIDERATION OF AN ORDINANCE
DESIGNATING AMENDED
REVITALIZATION AREA

DRA (421464-53)

Muscatine, Iowa

March 1, 2018

A meeting of the City Council of the City of Muscatine, Iowa, was held at the City Hall, in the City, at _____ o'clock p.m., on March 1, 2018. The Mayor presided and the roll was called, showing members present and absent as follows:

Present: _____

Absent: _____.

It was moved by Council Member _____ and seconded by Council Member _____ that the resolution finally adopting the Restated Plan for the 2013 Muscatine Housing Urban Revitalization Area, be finally adopted.

Whereupon, the Mayor put the question upon the motion and the roll being called, the following named Council Members voted:

Ayes:

Nays: _____.

Whereupon, the Mayor declared the said resolution adopted, as follows:

RESOLUTION NO. _____

A Resolution Finally Adopting the Restated Plan for the 2013 Muscatine Housing Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Code") the City of Muscatine, Iowa (the "City"), has designated an area of the City as the 2013 Muscatine Housing Urban Revitalization Area (the "Urban Revitalization Area") and has adopted an Urban Revitalization Plan (the "Plan") for the governance of projects and initiatives to be undertaken therein; and

WHEREAS, it has been proposed that the Plan be amended to (i) update the legal description of the Urban Revitalization Area to include therein the real property (the "Added Property") described in the Restated Plan (as hereinafter defined) attached as Exhibit A hereto; (ii) update the tax abatement schedule for the multiresidential property classification; (iii) update the tax abatement schedule for the blighted property classification; and (iv) update the tax abatement schedule for the historic property classification; and

WHEREAS, pursuant to the provisions of the Code, before amending the Plan, the City must prepare an amended plan, hold a public hearing thereon, and otherwise comply with the procedures set forth in the Code; and

WHEREAS, an amended and restated plan (the "Restated Plan") has been prepared and presented to the City Council for consideration in accordance with the provisions of the Code, said Restated Plan being in a form and having the contents as set forth in Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, after mailed and published notice thereof was given, as required by the Code, the City Council of the City did, on January 18, 2018, hold a public hearing on the addition of the Added Property to the Urban Revitalization Area and the Restated Plan therefor and considered all objections, comments, and evidence there presented; and

WHEREAS, the Code gives owners or tenants of property within the proposed Urban Revitalization Area thirty (30) days in which to petition for an additional public hearing; and

WHEREAS, no petition requesting an additional public hearing has been submitted to the City as of March 1, 2018, and it is now necessary to give final approval to the Plan and to the establishment of the Area;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Muscatine, Iowa, as follows:

Section 1. The Restated Plan is hereby approved and adopted. Furthermore, the Added Property is hereby established as part of the Urban Revitalization Area pending adoption of an ordinance designating the Added Property as an Urban Revitalization Area as provided for in Chapter 404.

Section 2. The City Clerk is hereby directed to file a copy of this resolution and of the Restated Plan with the Muscatine County Assessor.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved March 1, 2018.

Mayor

Attest:

City Clerk

Council Member _____ introduced an ordinance entitled: "Ordinance No. ____ An Ordinance Amending Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area."

It was moved by Council Member _____ and seconded by Council Member _____ that the aforementioned ordinance be given its first consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

....

Upon motion and vote, the meeting adjourned.

Mayor

Attest:

City Clerk

MINUTES PROVIDING FOR FINAL
CONSIDERATION AND ADOPTION OF
AN ORDINANCE DESIGNATING
AMENDED REVITALIZATION AREA

421464-53

(Ord.-Second and Final Consideration and
Adoption)

Muscatine, Iowa

_____, 2018

The City Council of the City of Muscatine, Iowa, met on _____, 2018,
at _____ o'clock _____.m., at the _____, in the City.

The Mayor presided and the roll was called showing members present and absent, as
follows:

Present: _____

Absent: _____.

The Mayor announced that, on March 1, 2018, the City Council had given its initial
consideration to an ordinance entitled "Ordinance No. ____ An Ordinance Amending Ordinance
No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban
Revitalization Area."

It was moved by Council Member _____ and seconded by Council
Member _____ that the statutory rule requiring said ordinance to be
considered and voted on for passage at two Council meetings prior to the meeting at which it is
to be finally passed be suspended. The Mayor put the question on the motion and the roll being
called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member _____ and seconded by Council Member _____ that the ordinance entitled "Ordinance No. __ An Ordinance Amending Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area," now be put upon its final passage and adoption. The Mayor put the question on the final passage and adoption of said ordinance and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been duly adopted.

....

There being no further business to come before the meeting, it was upon motion adjourned.

Mayor

Attest:

City Clerk

ORDINANCE NO. _____

An Ordinance Amending Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act"), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the City Council of Muscatine, Iowa (the "City"), has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the 2013 Muscatine Housing Urban Revitalization Area that:

1 (a) *A portion of the property situated in the 2013 Muscatine Housing Urban Revitalization Area is an area which, by reason of the presence of a substantial number of deteriorated or deteriorating structures, deterioration of site or other improvements, and a combination of these and other factors, substantially impairs or arrests the sound growth of the City, constitutes an economic and social liability and is a menace to the public welfare in its present condition and use.*

(b) *A portion of the property situated in the 2013 Muscatine Housing Urban Revitalization Area comprises an area in which there is a predominance of buildings and improvements which, by reason of age, history, architecture and significance, should be preserved and/or restored to productive use.*

(c) *The 2013 Muscatine Housing Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.*

(d) *The 2013 Muscatine Housing Urban Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.*

(e) *The rehabilitation, redevelopment, economic development and promotion of housing and residential development in the 2013 Muscatine Housing Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the 2013 Muscatine Housing Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.*

WHEREAS, pursuant to the provisions of the Act, the City prepared a Restated Urban Revitalization Plan (the "Restated Plan") for the 2013 Muscatine Housing Urban Revitalization Area and held a public hearing on the Restated Plan for the 2013 Muscatine Housing Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Restated Plan for the 2013 Muscatine Housing Urban Revitalization Area; and

WHEREAS, the City updated the description of the 2013 Muscatine Housing Urban Revitalization Area in the Restated Plan to include the real property described in Section 1 below;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Muscatine, in Muscatine County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, the area formed by contiguous real estate parcels with a legal description as follows:

(1) Blighted Area:

That territory bounded by a line extended as follows: Beginning at a point at the center of the intersection of the main channel of the Mississippi River and an extension of the centerline of Kemper Avenue, thence westerly along the extension of the centerline of Kemper Avenue, thence westerly along the centerline of Kemper Avenue to the center of the intersection of Kemper Avenue and Stewart Road, thence southwesterly along the centerline Stewart Road to the center of the intersection of Stewart Road and Wallace Street, thence westerly along the centerline of Wallace Street to the center of the intersection of Wallace Street and Aaron Avenue, thence northerly along the centerline of Aaron Avenue to the center of the intersection of Aaron Avenue and Sampson Street, thence westerly along the centerline of Sampson Street to the center of the intersection of Sampson Street and 25th Street South, thence northwesterly along the centerline of 25th Street South until it becomes the centerline of South Houser Street, thence northwesterly and northerly along the centerline of South Houser Street to the center of the intersection of South Houser Street and the north bank of the Muscatine Slough, thence easterly along north bank of the Muscatine Slough to the center of the intersection of the north bank of the Muscatine Slough and an extension of the centerline of Charles Street, thence northerly along an extension of the centerline Charles Street to the center line of Charles Street, thence northerly along the centerline of Charles Street to the center of the intersection of Charles Street and Hershey Avenue, thence easterly along the centerline of Hershey Avenue to the center of the intersection of Hershey Avenue and Fletcher Avenue, thence northerly along the centerline of Fletcher Avenue to the center of the intersection of Fletcher Avenue and Lucas Road, thence northwesterly along the centerline of Lucas Road to the center of the intersection of Lucas Road and Newell Avenue, thence easterly along the centerline of Newell Avenue to the center of the intersection of Newell Avenue and Logan Street, thence northerly along the centerline of Logan Street to the center of the intersection of Logan Street and Dillaway Street, thence easterly along the centerline of Dillaway Street to the center of the intersection of Dillaway Street and Roscoe Avenue, thence northwesterly along the centerline of Roscoe Avenue to the center of the intersection of Roscoe Avenue and Fulliam Avenue, thence easterly along the centerline of Fulliam Avenue to the center of the intersection of Fulliam Avenue and Cedar Street, thence southeasterly along the centerline of Cedar Street to the center of the intersection of Cedar Street and Bartlett Street, thence northeasterly along the centerline of Bartlett Street to the center of the intersection of Bartlett Street and Mulberry Avenue, thence northwesterly along the centerline of Mulberry Avenue to the center of the intersection of Mulberry Avenue and Maple Avenue, thence northeasterly along the centerline of Maple Avenue to the center of the intersection of Maple Avenue and Oak Street, thence northwesterly along the centerline of Oak Street to the center of

the intersection of Oak Street and Woodlawn Avenue, thence easterly along the centerline of Woodlawn Avenue to the center of the intersection of Woodlawn Avenue and Isett Avenue, thence northerly along the centerline of Isett Avenue to the center of the intersection of Isett Avenue and Clay Street, thence easterly along the centerline of Clay Street to the center of the intersection of Clay Street and Park Avenue, thence southerly along the centerline of Park Avenue to the center of the intersection of Park Avenue and Washington Street, thence easterly along the centerline of Washington Street and then along an extension of the centerline of Washington Street to the intersection of an extension of Washington Street and the main channel of the Mississippi River, thence southwesterly along the main channel of the Mississippi River to the point of beginning.

- (2) Aspen Villas Condos
- (3) Cobblestone Place Part One
- (4) Cobblestone Ridge Condos
- (5) Cobblestone Ridge Phase I
- (6) Cobblestone Ridge Phase III
- (7) Pine Ridge Acres Addition
- (8) Riverbend 1st Addition
- (9) Riverbend 2nd Addition
- (10) Riverbend 3rd Addition
- (11) Riverbend 4th Addition
- (12) Riverbend 5th Addition
- (13) Riverbend 6th Addition
- (14) Hubbard Prairie Subdivision
- (15) Parcel Numbers: 0827101024, 0822351011, 0825226012, 0930101014, and 0827251024; and
- (16) Parcel Numbers: 0828401001, 0828276030, 0828276027, 0828251003, 0828276020, 0828276022, 0828276034, 0828276019, 0828276018, 0828276021, 0828276023, 0828276016, 0828276026, 0828276024, 0828276025, and 0828276015.

is hereby designated as the 2013 Muscatine Housing Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

First consideration passed by the City Council of the City of Muscatine, Iowa, the 1st day of March, 2018.

Mayor

Attest:

City Clerk

• • • • •

Second and final consideration passed by the City Council of the City of Muscatine, Iowa, the ____ day of _____, 2018.

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE
CITY OF MUSCATINE

SS

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Muscatine, Iowa, and that the above and foregoing is a true, correct and complete copy of the minutes of the meeting of the City Council, held as therein shown insofar as such minutes pertain to the passage of a resolution and an ordinance, including a true, correct and complete copy of said resolution and ordinance referred to in said minutes.

I certify further that I filed a copy of the plan and the resolution approving the plan with the Muscatine County Assessor.

WITNESS MY HAND this ____ day of _____, 2018.

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE
CITY OF MUSCATINE

SS

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Muscatine, Iowa, and do hereby certify that "Ordinance No. __ An Ordinance Amending Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND this ____ day of _____, 2018.

City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)

19:41
Page 13

February 23, 2018

VIA EMAIL

Gregg Mandsager
City Administrator/City Hall
Muscatine, IA

Re: 2013 Muscatine Housing Urban Revitalization Area
Our File No. 421464-53

Dear Gregg:

We have prepared and attach proceedings relating to the adoption of the restated plan (the "Restated Plan") for 2013 Muscatine Housing Urban Revitalization Area and proceedings relating to the amendment to the ordinance designating the Area. The proceedings attached include the following items:

1. Resolution adopting the Restated Plan.
2. Ordinance amending the original ordinance for the 2013 Muscatine Housing Urban Renewal Area. We have prepared the proceedings on the presumption that the City Council will adopt the ordinance after its second consideration and will waive the statutory requirement that an ordinance be considered at two meetings prior to the meeting at which it is finally adopted. This waiver requires the affirmative vote of not less than six of the seven Council Members. If the Council does not choose to follow this procedure, we will be happy to provide substitute proceedings covering the separate considerations of the ordinance.
3. Attestation Certificate with respect to the validity of the entire transcript.
4. Publication Certificate attesting to the publication of the ordinance, to which should be attached the publisher's affidavit of publication. Please print an extra copy of the ordinance for publication in your local newspaper.

While it is not required by statute, we recommend that you file a copy of the Restated Plan and the resolution adopting it with the Muscatine County Assessor.

As soon as these proceedings have been completed, please return one fully executed copy to our office.

If you have any questions, please contact John Danos or me.

Kind regards,

Amy Bjork

Attachments

cc: Nancy Lueck