



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3899  
(563) 264-1550  
Fax (563) 264-0750

To: Gregg Mandsager, City **FINANCE & RECORDS** Administrator

From: Nancy A. Lueck, Finance Director

Date: March 13, 2018

Re: Ordinance on 2<sup>nd</sup> and Final Reading Amending Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area

**Introduction and Background:**

At the March 1, 2018 meeting City Council approved the Resolution Adopting the Restated Plan for the 2013 Muscatine Housing Urban Revitalization Area. The 2013 Plan was amended to include property added in the restated plan, updated the abatement schedule to add the multi-residential property classification, and updated the abatement schedules for the blighted and historic property classification.

After the Restated Plan was adopted, City Council approved the first reading of the ordinance to amend Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area. The area added is in the vicinity of Fridley Theatres, a map of the added area will be included with the agenda.

**Summary:**

Please include the attached Ordinance on 2<sup>nd</sup> and final reading to amend Ordinance No. 92403-0513 Designating an Area of Muscatine, Iowa as the 2013 Muscatine Housing Urban Revitalization Area, on the agenda for the March 15, 2018 meeting.

Please note that the City's bond attorney has recommended that a separate motion with a rollcall vote be considered by City Council to waive the third reading of the Ordinance prior to considering the ordinance on 2<sup>nd</sup> and final reading.

Please contact me if you have any questions or need additional information.

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

The City Council of the City of Muscatine, Iowa, met on March 15, 2018, at 7 o'clock p.m., at the City Hall Council Chambers, 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. 94200-0318 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. 94200-0318 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.

\_\_\_\_\_  
Allen Harvey, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Gregg Mandsager, City Clerk

ORDINANCE NO. 94200-0318

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:

*(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 1<sup>st</sup> Addition
- (9) Riverbend 2<sup>nd</sup> Addition
- (10) Riverbend 3<sup>rd</sup> Addition
- (11) Riverbend 4<sup>th</sup> Addition
- (12) Riverbend 5<sup>th</sup> Addition
- (13) Riverbend 6<sup>th</sup> 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 1<sup>st</sup> day of March, 2018.

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Diana Broderson, Mayor

Attest:

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Gregg Mandsager, City Clerk

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Second and final consideration passed by the City Council of the City of Muscatine, Iowa, the 15<sup>th</sup> day of , 2018.

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Allen Harvey, Mayor Pro Tem

Attest:

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Gregg Mandsager, 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.

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Gregg Mandsager, 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.

\_\_\_\_\_  
Gregg Mandsager, 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.)**

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