



City Hall, 215 Sycamore St.
Muscatine, IA 52761-3840
(563) 262-4141
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COMMUNITY DEVELOPMENT

MEMORANDUM

Planning,
Zoning,
Building Safety,
Construction Inspection Services,
Public Health,
Housing Inspections,
Code Enforcement

To: Mayor and City Council Members
Cc: Gregg Mandsager, City Administrator
From: Steven Boka, Director of Community Development
Date: May 16, 2013
Re: Request to Set Public Hearing – Urban Renewal Plan Amendment

INTRODUCTION: Iowa Urban Renewal Law requires that a city hold a public hearing, publish notice of said hearing, and provide for a consultation with other governmental bodies concerning amendments to the Plan when the amendment is intended to authorize the use of tax increment financing in a designated Urban Renewal Area.

BACKGROUND: The City Council was presented with a potential tax rebate proposal designed to assist the owner/developer with construction of new industrial facilities in the Consolidated Urban Renewal Area during their May 9, 2013 In-Depth Council Meeting. Prior to the consideration of a development agreement with the owner, the city must schedule a consultation with other taxing authorities and provide for a public hearing with the required public notice on a proposed amendment to the adopted Urban Renewal Plan.

RECOMMENDATION/RATIONALE: To begin this process, it is recommended that City council take action to approve the attached resolution setting a date for the required public hearing on the urban renewal plan amendment.

BACKUP INFORMATION:

1. Resolution

SET DATE FOR HEARING ON URBAN
RENEWAL PLAN AMENDMENT

421464-34

Muscatine, Iowa

May 16, 2013

The Council of the City of Muscatine, Iowa, met on May 16, 2013, at _____ o'clock, _____ .m., at the _____, in the City, for the purpose of setting a date for a public hearing on a proposed urban renewal plan amendment. The Mayor presided and the roll being called, the following members of the Council were present and absent:

Present: _____

Absent: _____.

The Mayor announced that an amendment to the urban renewal plan for the Consolidated Muscatine Urban Renewal Area had been prepared, and that it was now necessary to set a date for a public hearing on the proposed amendment to the urban renewal plan. Accordingly, Council Member _____ moved the adoption of the following resolution entitled "Resolution setting date for a public hearing on urban renewal plan amendment," and the motion was seconded by Council Member _____. Following due consideration, 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 resolution duly adopted as follows:

RESOLUTION NO. _____

Setting date for public hearing on urban renewal plan amendment

WHEREAS, the City Council of the City of Muscatine, Iowa (the "City"), by resolution created the Consolidated Muscatine Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of projects and initiatives therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which would facilitate the undertaking of a new urban renewal project consisting of using tax increment financing to support a private developer in the development of a new warehousing and distribution facility in the Urban Renewal Area, and it is now necessary that a date be set for a public hearing on the Amendment;

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

Section 1. This City Council will meet at the _____, Muscatine, Iowa, on the 20th day of June, 2013, at _____ o'clock __.m., at which time and place it will hold a public hearing on the proposed Amendment to the Plan for the Area.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) nor more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, Steve Boka is hereby designated as the city's representative in connection with the consultation process which is required under that section of the urban renewal law.

Passed and approved this May 16, 2013.

Mayor

Attest:

City Clerk

**NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT**

Notice Is Hereby Given: That at _____ o'clock _____.m., at the _____, Muscatine, Iowa, on the 20th day of June, 2013, the City Council of the City of Muscatine, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Consolidated Muscatine Urban Renewal Area to facilitate the undertaking of a new urban renewal project in the Area consisting of using tax increment financing to support a private developer in the development of a new warehousing and distribution facility in the Urban Renewal Area. A copy of the proposed Amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Gregg Mandsager
City Clerk

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On motion and vote the meeting adjourned.

Mayor

Attest:

City Clerk

STATE OF IOWA
COUNTY OF MUSCATINE
CITY OF MUSCATINE

SS:

I, the undersigned, City Clerk of the aforementioned City do hereby certify that pursuant to the resolution of its City Council fixing a date of public hearing on a proposed urban renewal plan amendment, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City, and copies were sent to the county and school district.

WITNESS my hand this _____ day of _____, 2013.

City Clerk

(Attach here publisher's affidavit of publication of notice.)

(PLEASE NOTE: This certificate must not be dated until the publication has been made and you have reviewed it to be sure that the notice was published on the date indicated in the attached affidavit.)

STATE OF IOWA
COUNTY OF MUSCATINE
CITY OF MUSCATINE

SS:

I, the undersigned, City Clerk of the aforementioned City, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with setting a date for public hearing on an urban renewal plan amendment.

WITNESS my hand this _____ day of _____, 2013.

City Clerk

May 15, 2013

VIA E-MAIL

Gregg Mandsager
City Clerk/City Hall
Muscatine, Iowa

Re: Urban Renewal Area Amendment/Consultation Session
Our File Number: 421464-34

Dear Gregg:

The Iowa Urban Renewal Law requires that a city provide information concerning a proposed urban renewal plan or amendment to any other governmental bodies which might be affected by the use of tax increment financing within your urban renewal area. Specifically, the City must send a copy of the urban renewal plan amendment and an invitation to attend a meeting to discuss the urban renewal plan amendment to any county and school district whose jurisdiction covers any property which is within the urban renewal area. This consultation must be held at least two weeks prior to the public hearing on June 20, 2013.

It is our understanding that the property within your urban renewal area would affect Muscatine County and Muscatine Community School District.

Enclosed is a draft letter which you may use in order to provide notification to these governmental entities of the date, time and place of a meeting at which they may discuss your urban renewal plan amendment. The law does not require that this be a meeting of the City Council, and you may use your discretion about who represents the City at the meeting.

Along with the letter, you should send a copy of the urban renewal plan amendment and a copy of the notice of the public hearing on the urban renewal plan amendment.

According to our records, here are the mailing addresses for the individuals who should receive the notification letter and the enclosures:

Board of Supervisors
c/o Muscatine County Auditor
Muscatine County Courthouse
414 E 3rd Street, Ste. 101
Muscatine, Iowa 52761

Superintendent
Muscatine Community School District
2900 Mulberry Avenue
Muscatine, Iowa 52761

Please call me if you have questions.

Sincerely,

John P. Danos

[City letterhead]

DATE: _____

TO: Board of Supervisors, Muscatine County
 Superintendent, Muscatine Community School District

FROM: City Council
 City of Muscatine, Iowa

RE: Urban Renewal Plan Amendment

The City of Muscatine is in the process of amending the urban renewal plan for the Consolidated Muscatine Urban Renewal Area, and, pursuant to Section 403.5 of the Code of Iowa, the City is sending you the enclosed copy of its urban renewal plan amendment and scheduling a meeting at which you will have the opportunity to discuss this amendment.

The meeting to discuss our urban renewal plan amendment has been set for _____, 2013, at _____ o'clock _____.m. at the _____ in Muscatine. If you are unable to send a representative to the meeting, we invite your written comments. In addition, Section 403.5 gives your designated representative the right to make written recommendations concerning the urban renewal plan amendment no later than seven days following the date of the meeting.

The City will also hold a public hearing on this urban renewal plan amendment at _____ o'clock _____.m. on June 20, 2013, and a copy of the notice of hearing is enclosed for your information.

Please call our City Clerk at 563-264-1550, if you have questions.

Enclosure

May 15, 2013

VIA E-MAIL

Gregg Mandsager
City Clerk/City Hall
Muscatine, Iowa

Re: Consolidated Muscatine Urban Renewal Area (2013 Amendment)
Our File No. 421464-34

Dear Gregg:

We have prepared the attached materials which will enable your City Council to set a date for a public hearing on the amendment to the existing urban renewal plan for the area.

The notice which is included in the enclosed resolution must be published once, not less than four (4) nor more than twenty (20) days prior to the date selected for the hearing. Please email or fax a copy of the published notice to our office. Our fax number is (515) 283-1060.

Also, a "consultation session" must be set up with the local county and school district. Please refer to my separate letter enclosed for further details.

Please provide one fully executed set of proceedings, once all the actions have been taken, and contact me if you have any questions.

Best regards,

John P. Danos

cc: Nancy Lueck
Steve Boka