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Muscatine, IA 52761-3840
(563) 262-4141
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PLANNING, ZONING AND BUILDING SAFETY

Public Health,
Housing Inspections &
Inspection Services

MEMORANDUM

To: Mayor and City Council Members

Cc: Gregg Mandsager, City Administrator

From: Steven Boka, Director of Community Development

Date: April 7, 2011

Re: Resolution to Establish Public Hearing – Urban Renewal Amendment

INTRODUCTION: The City currently has six different urban renewal plans and districts covering a large portion of the city.

BACKGROUND: Staff has discussed the benefits of consolidating the six plans into a single document and expanding the areas intended to be covered by the plan together with a narrative and statistical information to reaffirm the need for economic development and the alleviation of slum and blighting influences within the designated urban renewal area.

RECOMMENDATION/RATIONALE: Prior to consideration of the amendment to consolidate and expand the urban renewal plan and district within the city, it is necessary to schedule and conduct a public hearing with appropriate public notice. The city must also consult with the Planning Commission, Muscatine County, Muscatine Community School District, and the Muscatine Community College regarding the consolidation and expansion of the plan & district.

It is recommended that the City Council take action by resolution to establish a public hearing with appropriate public notice on the consolidation of urban renewal areas and on the urban renewal plan amendment as required by law. Said public hearing is recommended to be held on May 5, 2011, at 7:00 p.m.

SET DATE FOR HEARING ON
CONSOLIDATION OF URBAN
RENEWAL AREAS AND URBAN
RENEWAL PLAN AMENDMENT

421464-34

Muscatine, Iowa

April 7, 2011

The Council of the City of Muscatine, Iowa, met on April 7, 2011, at _____ o'clock, _____ .m., at the _____, in the City, for the purpose of setting a date for a public hearing on the consolidation of urban renewal areas and 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 plans for the City's urban renewal areas had been prepared, which would consolidate such urban renewal areas, and that it was now necessary to set a date for a public hearing on the proposed amended area and 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 consolidation of Urban Renewal Areas and 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 consolidation of Urban Renewal Areas and on urban renewal plan amendment

WHEREAS, the City Council (the "Council") of the City of Muscatine (the "City") has previously established the Original Muscatine Urban Renewal Area, the Muscatine Downtown Urban Renewal Area, the South End Urban Renewal Area, the Northeast Urban Renewal Area, the Muscatine Mall Urban Renewal Area, the Highway 38 - Northeast Urban Renewal Area, and the 2010 Industrial Urban Renewal Area (collectively hereinafter the "Urban Renewal Areas"); and

WHEREAS, it has been proposed that the Council take action to consolidate the City's urban renewal policies, projects and initiatives under the governance a single urban renewal plan; and

WHEREAS, in order to further such proposal the Council intends to amend the urban renewal plans for the Urban Renewal Areas to (1) update the legal description of the Urban Renewal Areas; (2) to consolidate the Urban Renewal Areas into a single Consolidated Muscatine Urban Renewal Area (the "Consolidated Area"); (3) to update and reaffirm findings of a need for economic development and slum and blight alleviation with respect to various properties within the Urban Renewal Areas; (4) to adopt a restated and updated urban renewal plan for the continued undertaking and operation of projects and initiatives within the Consolidated Area; and (5) to specifically identify new projects to be undertaken within the Consolidated Area; and

WHEREAS, the Council intends that this consolidating action shall not alter the original base valuations, time restrictions and debt certifications for the City's tax increment financing districts that have been established from time-to-time by ordinances with respect to the financing of projects in the Urban Renewal Areas; and

WHEREAS, this Council is desirous of obtaining as much information as possible from the residents of the City before making this decision; and

WHEREAS, an amendment to the urban renewal plans for the Urban Renewal Areas which carries out this proposal has been prepared and it is now necessary that a date be set for a public hearing on that plan amendment and on the proposed expansion and consolidation;

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

Section 1. This Council will meet at the _____, Muscatine, Iowa, on the 5th day of May, 2011, at _____ o'clock p.m., at which time and place it will hold a public hearing on the consolidation of the Urban Renewal Areas described in the preamble hereof and on the proposed urban renewal plan amendment.

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 Muscatine, 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, Gregg Mandsager and Steve Boka are hereby designated as the City's representatives in connection with the consultation process which is required under that section of the urban renewal law.

Section 4. The proposed urban renewal plan amendment is hereby submitted to the City's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Passed and approved April 7, 2011.

Mayor

Attest:

City Clerk

NOTICE OF PUBLIC HEARING ON CONSOLIDATION OF URBAN
RENEWAL AREAS AND ON PROPOSED URBAN RENEWAL PLAN
AMENDMENT

Notice Is Hereby Given: That at _____ o'clock p.m., at the _____, Muscatine, Iowa, on the 5th day of May, 2011, there will be conducted a public hearing on the question of adopting an urban renewal plan amendment and effecting the consolidation of the City's Original Muscatine Urban Renewal Area, the Muscatine Downtown Urban Renewal Area, the South End Urban Renewal Area, the Northeast Urban Renewal Area, the Muscatine Mall Urban Renewal Area, the Highway 38 - Northeast Urban Renewal Area, and the 2010 Industrial Urban Renewal Area, pursuant to Chapter 403, Code of Iowa. The proposed plan amendment will adjust the boundaries of the consolidated urban renewal area to include all real property in the City of Muscatine, County of Muscatine, State of Iowa.

The subject matter of the public hearing will also include a proposed amendment to the urban renewal plans for the urban renewal areas listed above and will designate the consolidated area as the Consolidated Muscatine Urban Renewal Area. A copy of the amendment is on file for public inspection in the office of the City Clerk.

The proposed amendment will (1) update the legal description of the Urban Renewal Areas to include the above described property; (2) consolidate the Urban Renewal Areas into a single Consolidated Muscatine Urban Renewal Area (the "Consolidated Area"); (3) to update and reaffirm findings of a need for economic development and slum and blight alleviation with respect to various properties within the Urban Renewal Area; (4) to adopt a restated and updated urban renewal plan for the continued undertaking and operation of projects and initiatives within the Consolidated Area; and (5) to specifically identify new projects to be undertaken within the Consolidated Area, including the use of tax increment financing in support of the construction of the South End Fire station #2 and a new maintenance facility at Weed Park.

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 SS:
CITY OF MUSCATINE

I, the undersigned, City Clerk of the aforementioned City do hereby certify that pursuant to the resolution of its Council fixing a date of public hearing on the question of consolidating the City's urban renewal areas and 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, school district and community college.

WITNESS my hand hereto affixed this _____ day of _____,
2011.

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 Council preliminary to and in connection with setting a date for public hearing on the question of consolidating the City's urban renewal areas and on an urban renewal plan amendment.

WITNESS my hand hereto affixed this _____ day of _____,
2011.

City Clerk

April 6, 2011

Gregg Mandsager
City Administrator/City Hall
Muscatine, Iowa
Via Email

Re: Consolidation of urban renewal areas
 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 consolidation of the City's urban renewal areas and on an amendment to the urban renewal plans for these existing areas.

The notice which is included in the attached resolution must be published once, not less than four (4) nor more than twenty (20) days prior to the date selected for the hearing. We have attached a separate copy of the notice for delivery to the newspaper. Please fax a copy of the published notice to our office.

In addition to publishing the notice of a hearing, a copy of the amendment to the urban renewal plan must be submitted to the Planning and Zoning Commission, and the Commission must provide a written recommendation to the City Council with respect to whether the amendment is in conformance with the City's general or comprehensive plans.

Also, a "consultation session" must be set up with the local county, school district and community college. 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 call me if you have any questions.

Best regards,

John P. Danos

Attachment

cc: Steve Boka
Nancy Lueck

April 6, 2011

Gregg Mandsager
City Administrator/City Hall
Muscatine, Iowa
Via Email

Re: Urban Renewal Area Consolidation/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 certain other governmental bodies which might be affected by the use of tax increment financing within your amended 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, school district or community college whose jurisdiction covers any property to be included within the amended urban renewal area. This consultation must be held at least two weeks prior to the public hearing in May.

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

Attached 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 County Auditor
Muscatine County Courthouse
401 E 3rd Street
Muscatine, IA 52761

Superintendent
Muscatine Community School District
1403 Park Avenue
Muscatine, IA 52761

President
Muscatine Community College
306 W River Drive
Davenport, IA 52801

Please call me if you have questions.

Best regards,

John P. Danos

Attachment

[City letterhead]

DATE: _____

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

FROM: City Council
City of Muscatine, Iowa

RE: Urban Renewal Area Consolidation

The City of Muscatine is in the process of consolidating several of its urban renewal areas and adopting an urban renewal plan amendment, 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 the _____ day of _____, 2011, 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 p.m. on May 5, 2011, and a copy of the notice of hearing is enclosed for your information.

Please call our City Administrator at (563) 264-1550, if you have questions.

Enclosure