

RESOLUTION NO. 94085-1217

Resolution Providing for Notice of Hearing on Proposed Amendment to the Revitalization Plan for the 2013 Muscatine Housing Urban Revitalization Area

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Act") the City of Muscatine, Iowa (the "City"), has designated certain real property situated within the City as the 2013 Muscatine Housing Urban Revitalization Area (the "Urban Revitalization Area") and has adopted the 2013 Muscatine Housing Urban Revitalization Area Plan (the "Plan") for such Urban Revitalization Area; 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") being legally described as set forth in the notice appearing as part of this resolution in Section 6 hereof; (ii) update the tax abatement schedule for the multi-residential property classification; (iii) update the tax abatement schedule for the blight property classification; and (iv) update the tax abatement schedule for the historic property classification; and

WHEREAS, pursuant to the provisions of the Act, 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 Act; and

WHEREAS, an amended and restated plan (the "Restated Plan") is being prepared for presentation to the City Council for consideration in accordance with the provisions of the Act, said Restated Plan, when available, shall be attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Muscatine, Iowa, as follows:

Section 1. It is hereby found, determined and reaffirmed that:

(a) A portion of the property situated in the 2013 Muscatine Housing Urban Revitalization Area, including the Added Property, 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, including the Added Property, to be 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, including the Added Property, 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, including the Added Property, 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.

Section 2. It is hereby directed that the Restated Plan be prepared for consideration by this City Council. When prepared, the Restated Plan shall be attached hereto as Exhibit A.

Section 3. This Council will meet at 7 o'clock p.m., on the 18th day of January, 2017, at City Council Chambers, in the City, at which time and place it will conduct a public hearing on the Restated Plan and the designation of the Added Property as an urban revitalization area pursuant to the Act.

Section 4. The City Clerk is hereby directed to give notice of such hearing by publication once, in a newspaper published at least once weekly and having general circulation in the City, not less than four and not more than twenty days before the date on which the hearing will be held. In addition, the City Clerk is hereby directed to send notice of such hearing by ordinary mail to the last known address of the owners of record of real property situated within the boundaries of the Added Property, such notice to be mailed by no later than the thirtieth day prior to the date set for the hearing.

Section 5. As authorized by the Act, this Council hereby waives the mailing of notice to the "occupants" of city addresses located within the boundaries of the Added Property, due to the lack of a reasonably current and complete address list and the finding of the Council that published notice will be sufficient to apprise such persons of the hearing.

Section 6. Such notice shall be in the form substantially, as follows:

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF MUSCATINE, IOWA, RELATING TO THE ADOPTION OF AN AMENDED AND RESTATED PLAN FOR THE 2013 MUSCATINE HOUSING URBAN REVITALIZATION AREA FOR THE CITY OF MUSCATINE, IOWA, PURSUANT TO CHAPTER 404 OF THE CODE OF IOWA.

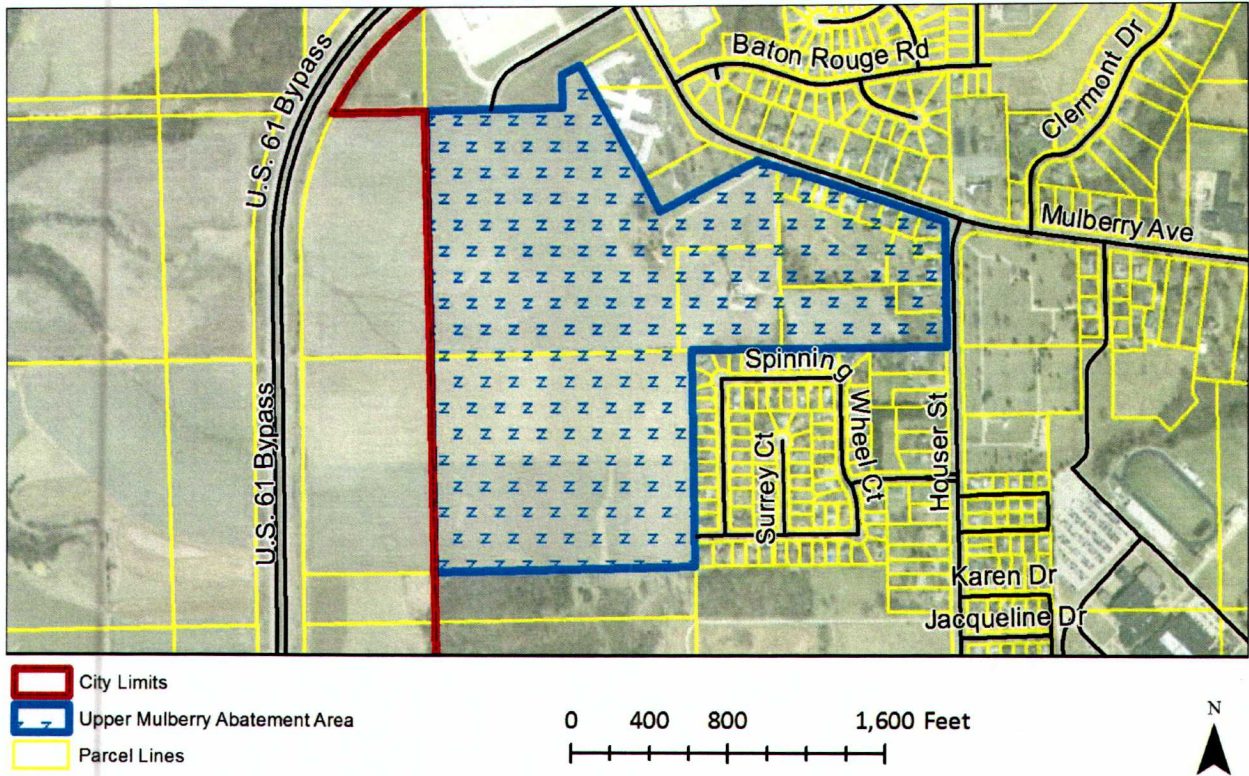
NOTICE IS HEREBY GIVEN: That there is now on file for public inspection in the office of the City Clerk of Muscatine, Iowa, an Amended and Restated Urban Revitalization Plan (the “Restated Plan”) for the 2013 Muscatine Housing Urban Revitalization Area (the “Urban Revitalization Area”) within the City.

This City Council will meet at 7 o’clock p.m., on January 18, 2018, at the City Council Chambers, Muscatine, Iowa, at which time a hearing will be held pursuant to the provisions of Chapter 404 of the Code of Iowa (the “Act”) on the proposal to adopt the Restated Plan, pursuant to the provisions of the Act. At such public hearing all residents of the City, and any other person having an interest in the matter may appear and be heard for or against the adoption of the Restated Plan, pursuant to the Act.

The Restated Plan will (i) update the tax abatement schedule for the multi-residential property classification; (ii) update the tax abatement schedule for the blight property classification; (iii) update the tax abatement schedule for the historic property classification; and (iv) update the legal description of the Urban Revitalization Area to include therein the following described real property:

Certain real property situated in the City of Muscatine, Muscatine County, State of Iowa more particularly described as follows:

Property bearing, as of December 5, 2017, Muscatine County Property ID Number: 0828401001, 0828276030, 0828276027, 0828251003, 0828276020, 0828276022, 0828276034, 0828276019, 0828276018, 0828276021, 0828276023, 0828276016, 0828276026, 0828276024, 0828276025, and 0828276015.



Published by order of the City Council of the City of Muscatine, Iowa.

Gregg Mandsager  
City Administrator

Section 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved December 7, 2017.



Attest:

City Clerk

Mayor

.....

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



Attest:

City Clerk

Mayor

**EXHIBIT A  
RESTATED PLAN**

**ATTESTATION CERTIFICATE:**

STATE OF IOWA  
COUNTY OF MUSCATINE  
CITY OF MUSCATINE

SS:

I, the undersigned, City Clerk of the City of Muscatine, Iowa, do hereby certify that the above and foregoing is a true, correct and complete copy of the minutes of a meeting of the City Council, held as therein shown, insofar as such minutes pertain to the proposed amendment to the Plan for the 2013 Muscatine Housing Urban Revitalization Area, including a true, correct and complete copy of the resolution referred to in said minutes.

WITNESS MY HAND this 7<sup>th</sup> day of December, 2017.

  
\_\_\_\_\_  
City Clerk

**MAILING CERTIFICATE**

STATE OF IOWA  
COUNTY OF MUSCATINE           SS:  
CITY OF MUSCATINE

I, the undersigned, City Clerk of the City of Muscatine, Iowa, do hereby certify that on the 13th day of December, 2017, not less than thirty (30) days before the hearing on the Restated Urban Revitalization Plan, I mailed by ordinary mail to each owner of record of the real property to be added to the 2013 Muscatine Housing Urban Revitalization Area, a copy of the notice of hearing in the form attached to this certificate.

WITNESS MY HAND this 13th day of December, 2017.

  
\_\_\_\_\_  
City Clerk

**(Attach hereto a copy of the notice as mailed.)**

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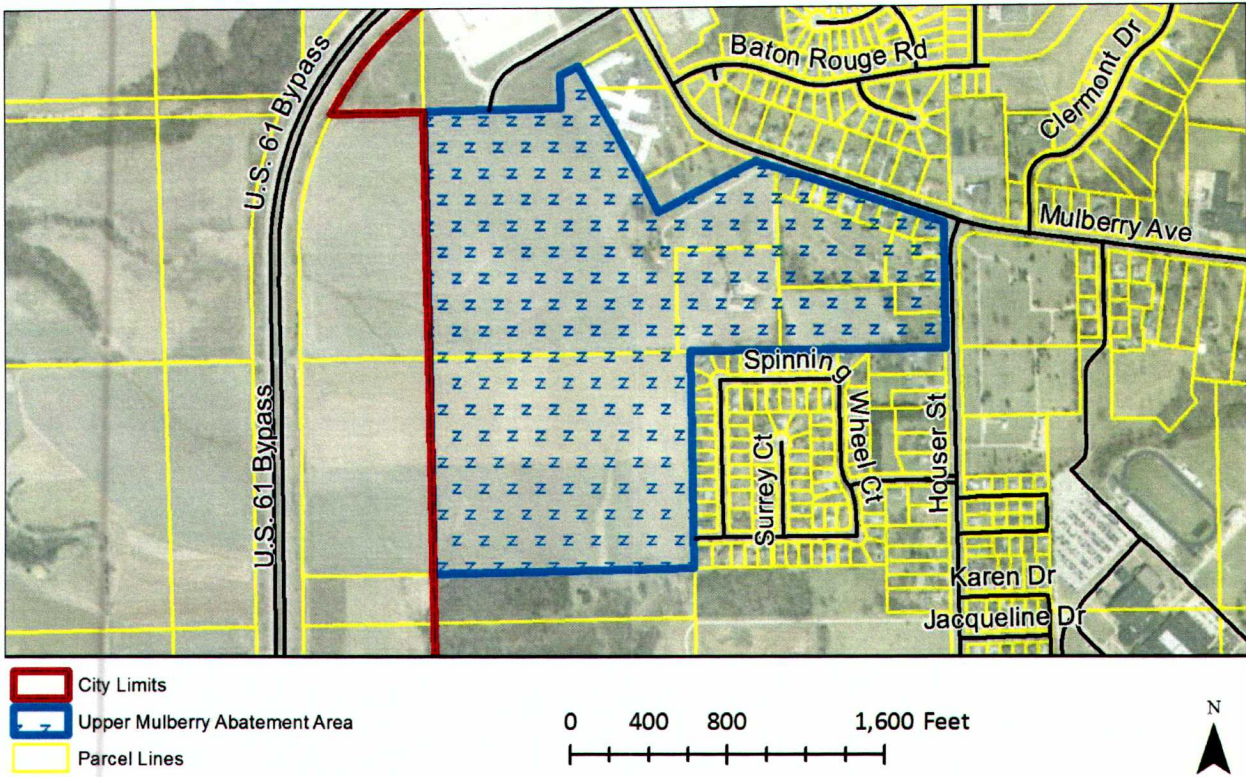
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Gregg Mandsager  
City Administrator

**PUBLICATION CERTIFICATE:**

STATE OF IOWA  
COUNTY OF MUSCATINE      SS:  
CITY OF MUSCATINE

I, the undersigned, Clerk of the City of Muscatine, Iowa, do hereby certify that I caused to be published a notice of public hearing, of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this 19<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
City Clerk

**(Attach hereto publisher's original affidavit of publication of notice with a clipping of the notice as published attached.)**

**(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.)**

COPY OF NOTICE  
EXHIBIT "A"

AFFIDAVIT OF PUBLICATION

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF MUSCATINE, IOWA, RELATING TO THE ADOPTION OF AN AMENDED AND RESTATED PLAN FOR THE 2013 MUSCATINE HOUSING URBAN REVITALIZATION AREA FOR THE CITY OF MUSCATINE, IOWA, PURSUANT TO CHAPTER 404 OF THE CODE OF IOWA.

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Gregg Mandasager  
City Administrator

STATE OF IOWA }  
SCOTT COUNTY, } ss.

The undersigned, being first duly sworn, on oath does say that he/she is an authorized employee of THE MUSCATINE JOURNAL, morning edition, a daily newspaper printed and published by Lee Enterprises, Incorporated, in the City of Davenport, Scott County, Iowa, and that a notice, a printed copy of which is hereto annexed as Exhibit "A" and made a part of this affidavit, was published in said THE MUSCATINE JOURNAL, on the following dates:

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The affiant further deposes and says that all of the facts set forth in the foregoing affidavit are true as he/she verily believes.

*[Handwritten signature]*

Subscribed and sworn to before me by said affiant this \_\_\_\_\_ 9th

day of January \_\_\_\_\_ 20 18

*[Handwritten signature: Stephen H. Thor]*

 **STEPHEN H. THOR**  
Commission Number 168839  
My Commission Expires  
3-24-18

Notary Public in and for Scott County, Iowa

MINUTES OF MEETING TO SET  
HEARING DATE ON PROPOSED  
AMENDMENT TO REVITALIZATION  
PLAN

(NRA) 421464-53

Muscatine, Iowa

December 7, 2017

A meeting of the City Council of the City of Muscatine, Iowa was held at 7 o'clock p.m., at the City Council Chambers, in the City, on December 7, 2017. The Mayor presided and the roll was called, showing members present and absent as follows:

Present: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Absent: Bynum

The City Council took up and considered a proposed amendment to the revitalization plan for the 2013 Muscatine Housing Urban Revitalization Area in the City of Muscatine, Iowa. Whereupon, Council Member Natvig moved the adoption of the resolution declaring necessity and providing for notice of hearing on proposed amendment to the revitalization plan for the 2013 Muscatine Housing Urban Revitalization Area. The motion was seconded by Council Member Harvey, and passed by record vote as follows:

Ayes: Rehwaldt, Fitzgerald, Natvig, Saucedo, Harvey, Spread

Nays: None

Whereupon, the Mayor declared the resolution adopted as follows: