

RESOLUTION NO. 2018-09

A RESOLUTION DECLARING NECESSITY AND PROVIDING FOR NOTICE OF HEARING ON PROPOSED URBAN REVITALIZATION; WITHIN THE CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the “Act”) the City of Independence, Iowa (the “City”), may designate an area of the City as an urban revitalization area, if that area meets the criteria of Section 1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, before designating an urban revitalization area, the City must prepare a proposed plan for the designated urban revitalization area, hold certain public hearings thereon, and otherwise comply with the procedures set forth in the Act; and

WHEREAS, it has been proposed that certain real property situated within the City (hereinafter referred to as the “2018 Independence Multi-Residential Urban Revitalization Area”) be designated as a revitalization area pursuant to the Act, such 2018 Independence Multi-Residential Urban Revitalization Area being legally described as set forth in the notice appearing as part of this resolution in Section 5 hereof; and

WHEREAS, a proposed plan (the “Proposed Plan”) for the 2018 Independence Multi-Residential Urban Revitalization Area is being prepared for presentation to the City Council for consideration in accordance with the provisions of the Act; and

WHEREAS, a “Certificate and Waiver” has been prepared for execution by the owners of the Property with respect to the mailed notice and second hearing rights under this Act;

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

Section 1. It is hereby found and determined:

(a) The proposed 2018 Independence Multi-Residential 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.

(b) The 2018 Independence Multi-Residential 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 multifamily housing.

(c) The economic development of the 2018 Independence Multi-Residential Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the 2018 Independence Multi-Residential Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.

(d) The Proposed Plan which shall be attached hereto as Exhibit A shall be prepared in accordance with the provisions of the Act.

Section 2. This Council will meet at 6:30 p.m., on February 26, 2018, at City Hall Council Chambers, in the City, at which time and place it will conduct a public hearing on the Proposed Plan and the designation of the 2018 Independence Multi-Residential Urban Revitalization Area as an urban revitalization area pursuant to the Act.

Section 3. The City Clerk is hereby authorized and directed to present the Certificate and Waiver to the owners of the Property for execution and delivery to the City by no later than February 26, 2018.

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.

Section 5. As authorized by the Act, this City Council hereby waives the mailing of notice to the “occupants” of city addresses located within the 2018 Independence Multi-Residential Urban Revitalization Area, 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 ON THE DESIGNATION OF THE
2018 INDEPENDENCE MULTI-RESIDENTIAL URBAN REVITALIZATION AREA
AND THE ADOPTION OF A PLAN FOR SUCH REVITALIZATION AREA

NOTICE IS HEREBY GIVEN: That there is now on file for public inspection in the office of the City Clerk of Independence, Iowa, a Proposed Urban Revitalization Plan (the "Plan") for the rehabilitation and redevelopment of the property proposed for inclusion on the 2018 Independence Multi-Residential Urban Revitalization Area (the "Area"), such property lying within the City and being described as follows:

ENTERPRISE 1ST ADD RESUBDIV LOT 12; and
ENTERPRISE 1ST ADD RESUBDIV LOT 1

The City Council will meet at 6:30 p.m., on February 26, 2018, at the City Hall Council Chambers, Independence, Iowa, at which time a hearing will be held pursuant to the provisions of Chapter 404, Code of Iowa (the "Act") on the proposal to adopt the Plan and the proposal to establish the above described area as an urban revitalization area. At such public hearing all owners of record of real property, tenants, and all "occupants" of city addresses within the described area, and any other person having an interest in the matter may appear and be heard for or against the adoption of the Plan and/or the establishment of the Area.

Once the Area has been designated pursuant to the Act, property therein on which certain improvements are constructed may become eligible for certain property tax exemptions as set forth in the Plan which is on file for inspection in the office of the City Clerk.

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

Jeena Lynch
City Clerk

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

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, BUCHANAN COUNTY, IOWA, that the Council met on Monday, February 12, 2018 at 6:30 p.m. in City Hall and by majority vote approved a Resolution Declaring Necessity and Providing for Notice of Hearing on Proposed Urban Revitalization; within the City of Independence, Buchanan County, Iowa.

Resolution No. 2018-09 was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 12th day of February, 2018.


Record of Voting:

Ayes: O'Loughlin, Hanna, Vaughn, Hayward, Hill, and Scharff.

Nays:

Absent: Kurtz

Resolution No. 2018-09 declared passed and adopted by the Mayor on this 12th day of February, 2018.



Bonita Davis, Mayor of the City of Independence, Iowa

ATTEST:



Jeena Lynch, City Clerk/Treasurer of the City of Independence, Iowa