

ADDITION TO THE URBAN RENEWAL
AREA DESIGNATION AND PLAN
HEARING

436775-34

Eagle Grove, Iowa

August 5, 2019

The City Council of the City of Eagle Grove, Iowa, met on August 5, 2019, at 6:30 o'clock, p.m., at the Eagle Grove City Hall Council Chambers, in the City for the purpose of conducting a public hearing on the designation of the expanded 2018 Housing Urban Renewal Area and on urban renewal plan amendment. The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: Pamperin, Vandewater, Weland, Schild, Jergens and Middleton

Absent: NONE

The City Council investigated and found that notice of the intention of the Council to conduct a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan amendment had been published according to law and as directed by the Council and that this is the time and place at which the Council shall receive oral or written objections from any resident or property owner of the City. All written objections, statements, and evidence heretofore filed were reported to the City Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member Weland moved the adoption of a resolution entitled "Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the 2018 Housing Urban Renewal Area," seconded by Council Member Jergens. After due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Pamperin, Vandewater, Weland, Shild, Jergens and Middleton

Nays: N/A

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 2019-60

Resolution to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan Amendment for the 2018 Housing Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa (the “Urban Renewal Law”), a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; and

WHEREAS, the City Council of the City of Eagle Grove (the “City”) has previously created the 2018 Housing 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, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) lying within the description set out in Exhibit A hereto; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Property to be an economic development area; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which covers the addition of the Property to the Urban Renewal Area; and

WHEREAS, notice of a public hearing by the City Council on the question of establishing the Property as an urban renewal area and on the proposed Amendment was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the Council has conducted said hearing on August 5, 2019; and

WHEREAS, the Planning and Zoning Commission of the City has reviewed and commented on the proposed Amendment; and

WHEREAS, copies of the Amendment, notice of public hearing and notice of a consultation meeting with respect to the Amendment were mailed to Wright County and the Eagle Grove Community School District; the consultation meeting was held on the 17th day of July, 2019; and responses to any comments or recommendations received following the consultation meeting were made as required by law;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Eagle Grove, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa, is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa, and is hereby designated the August, 2019 Addition to the 2018 Housing Urban Renewal Area.

Section 3. The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the City.

Section 4. It is hereby determined by this City Council as follows:

A. The proposed Amendment and the projects and initiatives described therein conform to the general plan of the municipality as a whole;

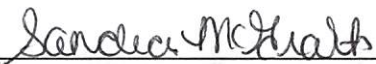
B. The proposed economic development projects described in the Amendment are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

C. It is not intended that families will be displaced as a result of the City's undertaking under the Amendment. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 5. The Amendment attached hereto and made a part hereof, is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved August 5, 2019.



Mayor

Attest:



City Clerk

(Attach copy of the urban renewal plan amendment to this resolution.)

EXHIBIT A
Legal Description
August, 2019 Addition to the 2018 Housing Urban Renewal Area

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

- 1) All of the right-of-way of N. Broadway Drive from W. Broadway to the termination point of N. Broadway Drive (abutting the boundary to Original 2018 Eagle Grove Housing Urban Renewal Area);
- 2) All of the right-of-way of West Broadway St. and E. Broadway St. from N. Broadway Drive to S. Kirkwood Ave;
- 3) All of the right-of-way of S. Kirkwood Ave from E. Broadway St. to 5th Street SE;
- 4) All of the right-of-way of 5th Street SE from S. Kirkwood Ave heading easterly for approximately 1,325 feet;
- 5) All of the right-of-way of Morningside Drive;

Subject Property B:

The NW 1/4 of the NW 1/4, All in Section 35, T91N, R26W of the 5th P.M. Wright County, Iowa; and

Outlots 2 and 3 of Auditor's Plat of SW ½ of Section 26, Twp. 91 N, Rg. 26, West of the 5th P.M., Wright County, Iowa, except a tract in the SE part thereof described as commencing at the SW corner of Section 26, Twp. 91 N, Rg. 26 West of 5th P.M., Wright County, Iowa, thence East along the South line of the SW ½ of SW ½ of Section 26 for 1325.46 feet; thence N 00 degrees 37 feet East 50 feet to the point of beginning; thence West 621.00 feet; thence N 00 degrees 37 feet 00 inches East 704 feet; thence East 621 feet; thence South 00 degrees 37 feet 00 inches West 704 feet to the point of beginning; containing 10.04 acres more or less (Note for the purposes of this survey the South line of the SW ¼ of Sec. 26 is assumed to bear due East and West).

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Upon motion and vote, the meeting adjourned.

Sandra McGrath
Mayor

Attest:

Byron Davis
City Clerk

STATE OF IOWA
COUNTY OF IOWA SS:
CITY OF EAGLE GROVE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Eagle Grove, and 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 designating an urban renewal area and approving the urban renewal plan amendment for the 2018 Housing Urban Renewal Area in the City.

WITNESS MY HAND this 5th day of August, 2019.



City Clerk

(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the urban renewal plan amendment.)



210 East Broadway Street
PO Box 165
Eagle Grove, Iowa 50533

Phone (515) 448-4343
Fax (515) 448-3761
eaglegroveiowa.org

TO: City Council of the City of Eagle Grove, Iowa
FROM: Planning & Zoning Commission
RE: Urban Renewal Plan Amendment to the 2018 Housing Urban Renewal Area Recommendation
DATE: July 19, 2019

Mayor and City Council:

The Planning and Zoning Commission held a meeting on Wednesday, July 17, 2019 at 5:30 p.m. at the Eagle Grove City Hall Council Chambers in Eagle Grove to review the proposed Urban Renewal Plan Amendment to the 2018 Housing Urban Renewal Area for the August 5, 2019 Public Hearing and consideration of the amendment. It is with great enthusiasm that I, on behalf of the Planning & Zoning Commission submit this positive recommendation for the City Council to proceed with the Proposed Plan Amendment.

Section 403.5 of the Code of Iowa requires that, before the City Council holds a public hearing, the City Council must submit a copy of the proposed plan amendment to the Commission, "for review and recommendations as to its conformity with the general plan for the development" of the City. The statute does not require that the Commission hold a hearing on the proposed plan amendment, and it does not require that the Commission take any action to either approve or reject the proposed plan amendment. It directs that the Commission review the plan amendment and comment to the City Council as to whether the plan amendment conforms to, or is consistent with, the City's Comprehensive Plan.

Following the Code of Iowa, the Planning & Zoning Commission has agreed that the proposed plan amendment follows the general plan for the development of this community as the general plan for the development adheres to the Official Zoning Map of the City of Eagle Grove and the Comprehensive Plan for the City of Eagle Grove. For these reasons and for the overall improvement of the community, the Planning & Zoning Commission voted unanimously in favor of the proposed plan amendment and to provide this positive recommendation to the City Council of the City of Eagle Grove as defined by current law.

Sincerely,

A handwritten signature in blue ink, appearing to read "Laura Thomas", with a long, sweeping underline.

Laura Thomas
Chair
Planning & Zoning Commission



210 East Broadway Street
PO Box 165
Eagle Grove, Iowa 50533

Phone (515) 448-4343
Fax (515) 448-3761
eaglegroveiowa.org

DATE: July 9, 2019

TO: Board of Supervisors, Wright County
Superintendent, Eagle Grove Community School District

FROM: City Council of the City of Eagle Grove, Iowa

RE: 2018 Housing Urban Renewal Area Amendment

The City of Eagle Grove is in the process of expanding its 2018 Housing Urban Renewal Area, and amending the urban renewal plan for the 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 Wednesday, July 17, 2019, at 10:00 o'clock a.m. at the Eagle Grove City Hall in Eagle Grove. 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 Council will also hold a public hearing on this urban renewal plan amendment at 6:30 p.m. on August 5, 2019, and a copy of the notice of hearing is enclosed for your information.

Please call our City Clerk at (515) 448-4343 if you have questions.

Enclosure

**AGREEMENT TO INCLUDE AGRICULTURAL LAND
IN THE 2018 EAGLE GROVE HOUSING URBAN RENEWAL AREA**

WHEREAS, the City Council of the City of Eagle Grove, Iowa (the "City") has proposed the adoption of an Urban Renewal Plan for the 2018 Eagle Ridge Urban Renewal Area (the "Urban Renewal Area"), pursuant to Chapter 403 of the Code of Iowa in order to undertake activities authorized by that Chapter, including but not limited to the use of tax increment financing as provided in Section 403.19 of the Code of Iowa; and

WHEREAS, it has been proposed that the Urban Renewal Area include certain property which is described on Exhibit A hereto (the "Property"); and

WHEREAS, a portion of the Property is owned by Rotary Club of Eagle Grove Home, Inc. (the "Undersigned"); and

WHEREAS, Section 403.17 of the Code of Iowa provides that no property may be included in an urban renewal area which meets the definition in that Section of "agricultural land," unless the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that the portion of the Property owned by the Undersigned meets the definition of "agricultural land" in Section 403.17(3) of the Code of Iowa;

NOW, THEREFORE, it is hereby certified and agreed by the Undersigned as follows:

1. The Undersigned hereby certifies that it is the owner of a portion of the Property described on Exhibit A hereto.
2. The Undersigned hereby agrees that the City Council of the City of Eagle Grove, Iowa may include all portions of the Property owned by the Undersigned in the Urban Renewal Area.

DATED this 1 day of July, 2019.

Rotary Club of Eagle Grove Home, Inc.

By: Tu Bender

Title: Administrator

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Certain real property situated in Wright County, Iowa more particularly described as follows:

The NW 1/4 of the NW 1/4, All in Section 35, T91N, R26W of the 5th P.M. Wright County, Iowa.