

Whereupon, Council member Vandewater moved that the following resolution be adopted:

Resolution 2019-89

**A RESOLUTION SETTING A PUBLIC HEARING ON ORDINANCE 2019-06: AN
ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
EAGLE GROVE, IOWA, BY AMENDING PROVISIONS PERTAINING TO
OPERATING BUDGET PREPARATION**

WHEREAS, the City Council of the City of Eagle Grove would now like to set a date for a Public Hearing for further public consideration of an amendment to the Municipal Code of Ordinances for the City of Eagle Grove pertaining to Operating Budget Preparation; and,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Eagle Grove hereby sets a public hearing date to review the proposed Ordinance 2019-06 on Monday, October 07, 2019 at 6:30 p.m. in the Council Chambers at City Hall

The motion was seconded by Council member Pamperin and after due consideration thereof, the roll was called and the following Council members voted:

Ayes: Pamperin, Vandewater, Weland, Schild and Middleton
Nayes:

Whereupon, the Mayor declared said Resolution duly passed and adopted this 23rd day of September, 2019.

Sandra McGrath
Sandra McGrath
Mayor

ATTEST:

Bryce Davis
Bryce Davis
City Administrator/Clerk

PUBLIC NOTICE
City of Eagle Grove

PUBLIC HEARING NOTICE
 The City of Eagle Grove, Iowa, is hereby serving as Public Notice that on October 07, 2019, at 6:30 p.m., at the Eagle Grove City Hall Council Chambers, the City Council will hold a public hearing at City Hall to consider an Ordinance to amend the Municipal Code of Ordinances by Amending Provisions Pertaining to Operating Budget Preparation. This Ordinance 2019-06 will repeal Section 7.05 of the Code of Ordinances of the City of Eagle Grove and adopt in lieu proceedings to prepare the operating budget of the City of Eagle Grove. A Copy of the Ordinance 2019-06 is on file with the City Clerk for review.

This meeting will be held to give residents information concerning the proposed amendment. Citizens are encouraged to attend and express their preferences about the proposed amendment. Anyone having questions about this project, or if you require special accommodations to attend the Hearing such as handicapped accessibility or translation services, you may contact City Hall at 515-448-4343.

ATTEST:
 Bryce Davis, City Administrator
 City of Eagle Grove

Published in the Eagle Grove Eagle on
 October 3, 2019.


PROOF OF PUBLICATION

STATE OF IOWA }
 Wright County } ss.

I, the undersigned, being duly sworn, depose and say,
 that I am Pamela J. DeVries, President of the Eagle
 Grove Eagle, a weekly newspaper printed in the
 English language, published at Eagle Grove in Wright
 County, State of Iowa, and that the annexed _____
City of Eagle Grove -
Hearing to amend
Ordinance 2019-06

notice was published in said paper once each week for
1 consecutive weeks, the first publication thereof
 was on the 3rd day of October, 2019,
 the second on the _____ day of _____, 20____,
 the third on the _____ day of _____, 20____,
 the fourth on the _____ day of _____, 20____,
Pamela J. DeVries
 Pamela J. DeVries, President

Subscribed and sworn to before me and in my presence
 the 3rd day of October, 2019,
Lynnette M Richardson
 Notary Public; In and for the State of Iowa



Printer's Fees, \$ 15.78

ORDINANCE NO. 2019-06

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EAGLE GROVE, IOWA, BY AMENDING PROVISIONS PERTAINING TO OPERATING BUDGET PREPARATION

Be It Enacted by the City Council of the City of Eagle Grove, Iowa:

SECTION 1. SECTION MODIFIED. Section 7.05 of the Code of Ordinances of the City of Eagle Grove, Iowa, is repealed and the following adopted in lieu thereof:

7.05 OPERATING BUDGET PREPARATION. The annual operating budget of the City shall be prepared in accordance with the following:

1. Proposal Prepared. The finance officer is responsible for preparation of the annual budget detail, for review by the Mayor and Council and adoption by the Council in accordance with directives of the Mayor and Council.
2. Boards and Commissions. All boards, commissions, and other administrative agencies of the City that are authorized to prepare and administer budgets must submit their budget proposals to the finance officer for inclusion in the proposed City budget at such time and in such form as required by the Council.
3. Submission to Council. The finance officer shall submit the completed budget proposal to the Council each year at such time as directed by the Council.
4. Resolution Establishing Maximum Property Tax Dollars. The Council shall adopt a resolution establishing the total maximum property tax dollars that may be certified for levy that includes taxes for City government purposes under *Code of Iowa* Section 384.1, for the City's trust and agency fund under *Code of Iowa* Section 384.6, Subsection 1, for the City's emergency fund under *Code of Iowa* Section 384.8, and for the levies authorized under *Code of Iowa* Section 384.12, Subsections 8, 10, 11, 12, 13, 17, and 21, but excluding additions approved at election under *Code of Iowa* Section 384.12, Subsection 19.

(Code of Iowa, Sec. 384.15A)

A. The Council shall set a time and place for a public hearing on the resolution before the date for adoption of the resolution and shall publish notice of the hearing not less than 10 nor more than 20 days prior to the hearing in a newspaper published at least once weekly and having general circulation in the City.

B. If the City has an internet site, the notice shall also be posted and clearly identified on the City's internet site for public viewing beginning on the date of the newspaper publication or public posting, as applicable. Additionally, if the City maintains a social media account on one or more social media applications, the public hearing notice or an electronic link to the public hearing notice shall be posted on each such account on the same day as the publication of the notice. All of the following shall be included in the notice:

- (1) The sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection and the current fiscal year's combined property tax levy rate for such amount that is applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(2) The effective tax rate calculated using the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(3) The sum of the proposed maximum property tax dollars that may be certified for levy for the budget year under the levies specified in this subsection and the proposed combined property tax levy rate for such amount applicable to taxable property in the City other than property used and assessed for agricultural or horticultural purposes.

(4) If the proposed maximum property tax dollars specified under Subparagraph (3) exceed the current fiscal year's actual property tax dollars certified for levy specified in Subparagraph (1), a statement of the major reasons for the increase.

Proof of publication shall be filed with and preserved by the County Auditor. The Department of Management shall prescribe the form for the public hearing notice for cities and the form for the resolution to be adopted by the Council under Paragraph C of this subsection.

C. At the public hearing, the Council shall receive oral or written objections from any resident or property owner of the City. After all objections have been received and considered, the Council may decrease, but not increase, the proposed maximum property tax dollar amount for inclusion in the resolution and shall adopt the resolution and file the resolution with the County Auditor as required under *Code of Iowa* Section 384.16, Subsection 3.

D. If the sum of the maximum property tax dollars for the budget year specified in the resolution under the levies specified in this subsection exceeds 102 percent of the sum of the current fiscal year's actual property taxes certified for levy under the levies specified in this subsection, the Council shall be required to adopt the resolution by a two-thirds majority of the membership of the Council.

E. If the City has an internet site, in addition to filing the resolution with the Auditor under *Code of Iowa* Section 384.16, Subsection 3, the adopted resolution shall be posted and clearly identified on the City's internet site for public viewing within 10 days of approval by the Council. The posted resolution for a budget year shall continue to be accessible for public viewing on the internet site along with resolutions posted for all subsequent budget years.

5. Council Review. The Council shall review the proposed budget and may make any adjustments it deems appropriate in the budget before accepting such proposal for publication, hearing, and final adoption.

6. Notice of Hearing. Following, and not until adoption of the resolution required under Subsection 4 of this section, the Council shall set a time and place for public hearing on the budget to be held before March 31 and shall publish notice of the hearing not less than 10 nor more than 20 days before the hearing. A summary of the proposed budget and a description of the procedure for protesting the City budget under Section 384.19 of the *Code of Iowa*, in the form prescribed by the Director of the Department of Management, shall be included in the notice. Proof of publication

of the notice under this subsection and a copy of the resolution adopted under Subsection 4 of this section must be filed with the County Auditor.

(Code of Iowa, Sec. 384.16[3])

7. Copies of Budget on File. Not less than 20 days before the date that the budget must be certified to the County Auditor and not less than 10 days before the public hearing, the Clerk shall make available a sufficient number of copies of the detailed budget to meet the requests of taxpayers and organizations, and have them available for distribution at the offices of the Mayor and Clerk and at the City library.

(Code of Iowa, Sec. 384.16[2])

8. Adoption and Certification. After the hearing, the Council shall adopt, by resolution, a budget for at least the next fiscal year and the Clerk shall certify the necessary tax levy for the next fiscal year to the County Auditor and the County Board of Supervisors. The tax levy certified may be less than, but not more than, the amount estimated in the proposed budget submitted at the final hearing or the applicable amount specified in the resolution adopted under Subsection 4 of this section. Two copies each of the detailed budget as adopted and of the tax certificate must be transmitted to the County Auditor.

(Code of Iowa, Sec. 384.16[5])

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the _____ day of _____, _____, and approved this _____ day of _____, _____.

Mayor

ATTEST:

City Clerk

First Reading: _____

Second Reading: _____

Third Reading: _____

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, _____.

City Clerk

