

# NOTICE AND CALL OF PUBLIC MEETING *AND* WORK SESSION

Governmental Body: **City Council**  
Date of Meeting: **January 28, 2019**  
Time of Meeting: **6:00 p.m.**  
Place of Meeting: **City Hall Council Chambers**

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Roll Call
2. Approval of Agenda
3. Pledge of Allegiance
4. **6:05 p.m. PUBLIC HEARING**  
at which the City Council of the City of Webster City proposes to take action on the continuation of the Downtown Webster City Self-Supported Municipal Improvement District. **COUNCIL MEMORANDUM**
  - 4.a. **Resolution** declaring intent to take additional action for the continuation of the Downtown Webster City Self-Supported Municipal Improvement District.
  - 4.b. First Reading of a proposed **Ordinance**, an ordinance continuing the Downtown Webster City Self-Supported Municipal Improvement District pursuant to the provisions of Chapter 386, Code of Iowa, and providing for the continuation of a fund and the levy of annual taxes in connection therewith.
5. Adjourn Public meeting

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## GOAL SESSION

1. Roll Call
2. Approval of Agenda
3. Council Goal Setting Session conducted by Patrick Callahan, Municipal Consultant

and any other matters that may come before the Council.

4. Adjourn Goal Session

This notice is given at the direction of the City Council pursuant to Chapter 21 Code of Iowa and the local rules of the City of Webster City, Iowa.

Signature: Karyl K. Bonjour  
Title: City Clerk  
CITY OF WEBSTER CITY



## MEMORANDUM

**TO:** Interim City Manager  
Mayor and City Council

**FROM:** Planning Director

**DATE:** January 24, 2019

**RE:** Public Hearing to Consider Continuation of the Self-Supporting  
Municipal Improvement District (SSMID)

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**SUMMARY:** Due to the SSMID Petition that was presented to the City Council in December, the City Council will now hold a Public Hearing to consider the continuation of the Self-Supporting Municipal Improvement District.

**PREVIOUS COUNCIL ACTION:** On April 20, 1998, the City Council approved Ordinance No. 98-1515 designating the original SSMID. It was then renewed 10 years later. Now, it is being requested to be renewed again 20 years after its origin.

**BACKGROUND/DISCUSSION:** The SSMID Petition was presented to the City Council at the December 17<sup>th</sup> meeting requesting that the District be continued for another 10 years. Following requirements set forth in the State Code, the City Council referred the Petition to the Planning and Zoning Commission for their recommendation. The P&Z held a special meeting on December 18<sup>th</sup> and recommended that the SSMID be extended another ten (10) years as a legitimate way to contribute to improvements and enhancements in the downtown district as well as maintain what they have already accomplished. The City Council set January 28, 2019, as the date for the Public Hearing. The City Clerk has notified all property owners in the SSMID of the hearing. After the hearing, the ordinance cannot be adopted until 30 days have passed (March 4<sup>th</sup>).

The SSMID monies have been spent on several downtown improvements including the flower pots, benches, trash containers, sign posts, and plantings included in the 2000 Downtown Improvement Project. The SSMID pays for pigeon control, maintenance of the bump outs and the tree trimming, repair of the downtown kiosks, plants for the flower pots, and Christmas decorations (lighted snowflakes on City's light poles.)

**FINANCIAL IMPLICATIONS:** The SSMID levy must be included in the City's certified budget due in March. The budget will be approved to include the \$3.50 SSMID levy approved at the SSMID's Board meeting January 23, 2019.

**RECOMMENDATION:** Approve the attached Resolution and approve the first reading of the attached Ordinance.

**CITY MANAGER COMMENTS:** I concur with the Planning Director and recommend to approve the attached Resolution and approve the first reading of the Ordinance.

RESOLUTION NO. 2019-

**Declaring intent to take additional action for the continuation of the Downtown Webster City Self-Supported Municipal Improvement District.**

WHEREAS, the Council of the City of Webster City, Iowa, has heretofore received a Petition pursuant to Chapter 386, Code of Iowa (the "Act") which petitions the Council to continue a self-supported municipal improvement district known as the "Downtown Webster City Self-Supported Municipal Improvement District" (the "District"), to continue a Self-Supported Municipal Improvement District Capital Improvement Fund and levy an annual tax therefor; and

WHEREAS, the Council referred the Petition to the city Planning and Zoning Commission, which has prepared an evaluative report on the merit and feasibility of the project proposed in the Petition; and

WHEREAS, pursuant to the Act the City has given notice of and held a public hearing on the continuation of the District and has heard all owners of property in the District or resident of the City desiring to express their views on the continuation of the District; and

WHEREAS, the Act declares that the Council must wait at least thirty days after the public hearing before it may take final action with respect to the adoption of an ordinance continuing the District;

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

Section 1. The Council hereby determines that the continuation of the District has merit and is feasible.

Section 2. It is the intention of the Council, after waiting at least 30 days from the date of this resolution, pursuant to the Act, to take final action with respect to an ordinance continuing the Downtown Webster City Self-Supported Municipal Improvement District pursuant to the Act, and providing for the establishment of the fund and the levy of annual taxes in connection therewith.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Passed and approved January 28, 2019.

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John Hawkins, Mayor

Attest:

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Karyl Bonjour, City Clerk

ORDINANCE NO. 2019-

**An ordinance continuing the Downtown Webster City Self-Supported Municipal Improvement District pursuant to the provisions of Chapter 386, Code of Iowa, and providing for the continuation of a fund and the levy of annual taxes in connection therewith.**

WHEREAS, pursuant to Ordinance No. 98-1515, adopted on April 20, 1998, the City of Webster City, in Hamilton County, State of Iowa, as authorized by Chapter 386, Code of Iowa (the "Act"), created a self-supported municipal improvement district, as defined in the Act, in the City; and

WHEREAS, a petition has been filed asking the City Council to continue the Downtown Webster City Self-Supported Municipal Improvement District (the "District") for another ten years, in accordance with the Act, to continue a capital improvement fund with respect to the District and to levy an annual tax for that fund, in accordance with the Act; and

WHEREAS, the petition was in all ways in complete compliance with the provisions of the Act; and

WHEREAS, upon receipt of such petition, the City Council did refer the petition to the City Planning and Zoning Commission in accordance with the Act, with instructions to such commission to prepare an evaluative report for the Council on the merits and feasibility of the project proposed in the petition; and

WHEREAS, the City Planning and Zoning Commission has filed with the City Council such evaluative report on the merits and feasibility of the project proposed in the petition, all in accordance with the Act; and

WHEREAS, subsequent to the filing of the report, the Council did set the 28<sup>th</sup> of January, 2019, at 6:05 p.m., at the Council Chambers, City Hall, in the City, as the time and place for a meeting at which it proposed to take action for the continuation of the District and did in accordance with the Act publish notice of such meeting as provided in Section 362.3 of the Code of Iowa, and the Clerk did mail written notice of such meeting to each owner of property within the District, which notice was mailed to such property owners by certified mail not less than fifteen days before such meeting; and

WHEREAS, at that time and place, the Council did meet and hear owners of property in the District or residents of the City desiring to express their views with respect to the continuation of the Proposed District; and

WHEREAS, no petition has been filed with the City Clerk containing the signatures of at least 40 percent of all owners of property within the District or signatures which together represent ownership of property with an assessed value of 40 percent or more of the assessed value of all property within the District seeking to have the entire matter of continuing the District withdrawn from Council consideration;

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Webster City, Iowa, as follows:

Section 1. There shall be and there is hereby continued in the City a self-supported municipal improvement district, as defined in the Act, the name of which shall continue to be the "Downtown Webster City Self-Supported Municipal Improvement District" (sometimes hereinafter referred to as the "District"), the purposes of which District continue to be the undertaking of actions and the design and construction of any and all improvements, and the performance of administration of the District, as authorized by the Act.

Section 2. The District shall continue to include property in the City described as follows:

Lots 1 and 2, Block 73, West Newcastle Addition,  
Lots 1 through 8, Block 80, West Newcastle Addition,  
Lots 1 through 8, Block 81, West Newcastle Addition,  
Lots 1 and 8, Block 82, West Newcastle Addition,  
Lots 1 through 5, Block 88, West Newcastle Addition,  
Lots 1 through 5, Block 89, West Newcastle Addition,  
Lots 1 through 5, Block 90, West Newcastle Addition,  
Lots 1 through 5, Block 91, West Newcastle Addition,  
Lot 6, Block 88, Dubuque and Pacific Railroad Addition,  
Lots 7 and 8 except the S 66' of Lot 8 & the S 66' of the W 31' of Lot 7, Block 88, Dubuque and Pacific Railroad Addition,  
Lots 6 through 8, Block 89, Dubuque and Pacific Railroad Addition,  
Lots 6 through 8, Block 90, Dubuque and Pacific Railroad Addition,  
Lots 6 through 8, Block 91, Dubuque and Pacific Railroad Addition,  
Lots 9 through 16, Block 96, Dubuque and Pacific Railroad Addition,  
Lots 1 through 9, Block 97, Dubuque and Pacific Railroad Addition,

Section 3. It is hereby found and determined that the owners of all of the property within the District have a present and potential benefit from the condition, development and maintenance of the District and that all of the property within the District is related by virtue of its location within an area of the City zoned for commercial use.

Section 4. Pursuant to the provisions of the Act, there is hereby continued a capital improvement fund for the District, known as the "Downtown Webster City Self-Supported Municipal Improvement District Capital Improvement Fund" (and is hereinafter referred to as the "Capital Improvement Fund"), for which Capital Improvement Fund the City may certify taxes (the "Capital Improvement Fund Tax") each year, commencing with the levy of taxes for collection in the fiscal year beginning July 1, 2019, and continuing for 9 additional fiscal years, at a rate not to exceed \$5.00 per thousand dollars of taxable valuation, to be levied against all of the Property in the District, in addition to all other taxes, for the purpose of accumulating moneys for the financing or payment of a part or all of the cost of any "improvements", as defined in the Act.

Section 5. There is hereby established a Downtown Webster City Self-Supported Municipal Improvement District Coordination Committee (the "Committee"). All owners of real

property located within the District shall automatically be members of the Committee. The Committee shall operate under such rules as may be established by the Committee, which shall include the formation of an executive board (the "Executive Board") to govern the Committee and its activities.

Section 6. There shall be disbursed annually all amounts collected in the Capital Improvement Fund for one or more of the following purposes, at such times, in such amounts and under such conditions as shall be recommended to the City Council by the Executive Board of the Downtown Webster City Self-Supported Municipal Improvement District Coordination Committee:

- a. Constructing and maintaining sidewalk and curb and gutter improvements within the District;
- b. Constructing other improvements and performing maintenance intended to enhance the District.

Section 7. Notwithstanding the fact that the District is located within the boundaries of the Riverview Urban Renewal/Tax Increment Finance Area, an amount of funds which would be derived from the annual levy of the Capital Improvement Fund Tax against property within the District if the District were not located within such Tax Increment Area shall be provided annually by the City and the City shall take all actions necessary to accomplish this purpose, including, if necessary, allocation of a portion of the incremental property taxes which are attributable to properties within the District, to the extent permitted by law.

Section 8. From and after the effective date of this ordinance, the City Clerk shall cause a copy of this ordinance to be filed in the office of the County Recorder of Hamilton County.

Section 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

Section 10. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

Section 11. This ordinance shall be in full force and effect upon its passage and publication, according to the laws of the State of Iowa.

Passed and approved the \_\_\_\_\_ day of \_\_\_\_\_, 2019

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John Hawkins, Mayor

Attest:

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Karyl Bonjour, City Clerk