

# CITY OF PANORA

## City Council Meeting

### **REGULAR MEETING MINUTES FOR MONDAY, FEBRUARY 8<sup>TH</sup>, 2021 AT 6:30 P.M.**

**I.** Due to the Covid-19 Health Crisis the council meeting was held in person by the Council and electronically through GoToMeeting for the public as allowed by Section 21.8 of the Iowa Code. Mayor Parker opened the council meeting at 6:30 p.m. and called Roll. Council members present were Brian Dorsett, Tom Flanery, Shane Gliem, Stan Landon, and Curtis Thornberry. Staff attending Joyce Calmer-Deputy City Clerk, Doug Long-Electric Superintendent, and Lisa Grossman-City Administrator.

**II. Approval of Agenda** – Flanery made a motion to approve the agenda, seconded by Landon. Motion carried unanimously.

**III. Public Forum** – None

**IV. Consent Items** – Thornberry moved to approve the minutes of 01-25-21 Regular Meeting, seconded by Dorsett. Motion carried unanimously.

**V. Council Business**

A. Landon made a motion to open the public hearing on the Proposed Designation of the Rosehill Urban Renewal Area, seconded by Gliem. The motion carried unanimously. Mayor Parker asked Administrator Grossman if any comments had been submitted and she replied there were none. Hearing no other comments, Mayor Parker asked for a motion to close the hearing. Dorsett made that motion, seconded by Landon. The motion carried unanimously.

B. Resolution 21-09 was then considered, to Declare Necessity and Establish an Urban Renewal Area, Pursuant to Section 403.4 of the Code of Iowa and Approve Urban Renewal Plan and Project for the Rosehill Urban Renewal Area. Thornberry made a motion to approve, seconded by Flanery. With the roll being called, the motion carried unanimously.

C. Council Member Landon introduced an ordinance entitled “Ordinance No. 339. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Rosehill Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member Landon and seconded by Council Member Dorsett that the ordinance be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorsett, Flanery, Gliem, Landon, Thornberry

Nays: None

Whereupon, the Mayor declared the motion duly carried and declared that said ordinance had been given its initial consideration.

It was moved by Council Member Landon and seconded by Council Member Thornberry that the statutory rule requiring an ordinance to be considered and voted on for passage at two City Council meetings prior to the meeting at which it is to be finally passed be suspended. The

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Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: Dorsett, Flanery, Gliem, Landon, Thornberry

Nays: None

Whereupon, the Mayor declared the motion duly carried.

It was moved by Council Member Landon and seconded by Council Member Thornberry that the ordinance entitled “Ordinance No. 339 An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Rosehill Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa,” now be put upon its final consideration and adoption. The Mayor put the question on the motion, and the roll being called, the following named Council Members voted:

Ayes: Dorsett, Flanery, Gliem, Landon, Thornberry

Nays: None

Whereupon, the Mayor declared the motion duly carried and the ordinance duly adopted, as follows:

### **ORDINANCE NO. 339**

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Rosehill Urban Renewal Area, Pursuant to Section 403.19 of the Code of Iowa

**BE IT ENACTED** by the members of the City Council of the City of Panora, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the Rosehill Urban Renewal Area, each year by and for the benefit of the state, city, county, school districts or other taxing districts after the effective date of this ordinance in order to create a special fund to pay the principal of and interest on loans, moneys advanced to or indebtedness, including bonds proposed to be issued by the City to finance projects in such area.

Section 2. Definitions. For use within this ordinance the following terms shall have the following meanings:

“City” shall mean the City of Panora, Iowa.

“County” shall mean Guthrie County, Iowa.

“Urban Renewal Area” shall mean the real property situated in the Rosehill Urban Renewal Area, more particularly described as follows, such property having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on February 8, 2021:

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

33 80 30 SW SE Lot 1 BLK 2 Rosehill Business PK.

Section 3. Provisions for Division of Taxes Levied on Taxable Property in the Urban Renewal Area. After the effective date of this ordinance, the taxes levied on the taxable property in the Urban Renewal Area each year by and for the benefit of the State of Iowa, the City, the County and any school district or other taxing district in which the Urban Renewal Area is located, shall be divided as follows:

(a) that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City certifies to the County Auditor the amount of loans, advances, indebtedness, or bonds payable from the special fund referred to in paragraph (b) below, shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for said taxing district into which all other property taxes are paid. For the purpose of allocating taxes levied by or for any taxing district which did not include the territory in the Urban Renewal Area on the effective date of this ordinance, but to which the territory has been annexed or otherwise included after the effective date, the assessment roll applicable to property in the annexed territory as of January 1 of the calendar year preceding the effective date of the ordinance which amends the plan for the Urban Renewal Area to include the annexed area, shall be used in determining the assessed valuation of the taxable property in the annexed area.

(b) that portion of the taxes each year in excess of such amounts shall be allocated to and when collected be paid into a special fund of the City to pay the principal of and interest on loans, moneys advanced to or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under the authority of Section 403.9(1), of the Code of Iowa, incurred by the City to finance or refinance, in whole or in part, projects in the Urban Renewal Area, and to provide assistance for low and moderate-income family housing as provided in Section 403.22, except that taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Section 298.2 of the Code of Iowa, taxes for the instructional support levy program of a school district imposed pursuant to Section 257.19 of the Code of Iowa, and taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the taxing district without limitation by the provisions of this ordinance. Unless and until the total assessed valuation of the taxable property in the Urban Renewal Area exceeds the total assessed value of the taxable property in such area as shown by the assessment roll referred to in subsection (a) of this section, all of the taxes levied and collected upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for said taxing districts in the same manner as all other property taxes. When such loans, advances, indebtedness, and bonds, if any, and interest thereon, have been paid, all money thereafter received from taxes upon the taxable property in the Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

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(c) the portion of taxes mentioned in subsection (b) of this section and the special fund into which that portion shall be paid may be irrevocably pledged by the City for the payment of the principal and interest on loans, advances, bonds issued under the authority of Section 403.9(1) of the Code of Iowa, or indebtedness incurred by the City to finance or refinance in whole or in part projects in the Urban Renewal Area.

(d) as used in this section, the word “taxes” includes, but is not limited to, all levies on an ad valorem basis upon land or real property.

Section 4. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Saving 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 6. Effective Date. This ordinance shall be effective after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF FEBRUARY, 2021.**

\_\_\_\_\_  
Patrick Parker, Mayor

Attest:

\_\_\_\_\_  
Lisa Grossman, City Administrator

### CLERK'S CERTIFICATE

I hereby certify that the foregoing Ordinance No. 339 was published as required by law on the \_\_\_\_ day of \_\_\_\_\_ 2021.

SIGNED \_\_\_\_\_  
Lisa Grossman, City Administrator

D. In addition, Resolution 21-10 was also discussed, setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with DG Panora, LLC, Including Annual Appropriation Tax Increment Payments. Thornberry made a motion to approve, seconded by Landon. With the roll being called, the resolution carried unanimously.

E. Resolution 21-11 was considered, approving the Fair Market Value for Real Property to be Purchased from Judy Kobeissi, Leroy Meyer, and Patricia Marroquin. Landon made a motion to approve the appraisal value of \$1200, seconded by Dorsett. With the roll being called, the resolution carried unanimously.

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F. Contract, performance, and/or payment bonds were reviewed. Resolution 21-12 was then considered approving contract and performance and /or payment bonds for the Lenon Mill Dam Emergency Repair Phase 2 with Richards Construction Co, Inc. Landon made a motion to approve, seconded by Gliem. With the roll being called, the resolution carried unanimously.

G. The FY 22 Budget was reviewed.

H. Resolution 21-13 was then considered, setting a public hearing date relating to the maximum property tax dollars and levy for FY22 Budget. Thornberry made a motion to set the hearing for February 22, 2021 at 6:30 pm, seconded by Dorsett. With the roll being called, the resolution carried unanimously.

I. A discussion as held regarding Resolution 21-14, approving annual pay changes for city employees. Thornberry made a motion to approve, seconded by Landon. With the roll being called, the motion carried unanimously.

J. Resolution 21-15 was considered, approving an Urban Revitalization Tax Exempt Application for 203 West Church Street. Gliem made a motion to approve, seconded by Landon. With the roll being called, the motion carried unanimously.

### **VI. Financials.**

A. Landon moved to approve the bills payable, seconded by Flanery. With the roll being called, the motion carried unanimously.

B. Thornberry moved to approve the monthly financials, seconded by Landon. With the roll being called, the motion carried unanimously.

**VII. Information Items.** Departmental reports were submitted with the Council Packet. Council members signed the Council Handbook Code of Conduct document.

Mayor Parker asked for a motion to adjourn. Landon made a motion to adjourn at 6:56 p.m., seconded by Flanery. With the roll being called, the motion carried unanimously.

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Patrick Parker, Mayor

ATTEST:

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Lisa Grossman, City Administrator

Mayor Patrick Parker