

CITY OF PANORA

City Council Meeting

REGULAR MEETING MINUTES FOR MONDAY, AUGUST 22ND, 2022 AT 5:30 P.M.

I. Mayor Parker opened the council meeting at 5:30 p.m. and called Roll. Council members present were Brian Dorsett, Tom Flanery, Shane Gliem, Stan Landon, and Curtis Thornberry. Staff attending were Doug Long-Electrical Superintendent and Lisa Grossman-City Administrator. The meeting was accessible electronically thru GoToMeeting as allowed by Section 21.8 of the Iowa Code.

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

III. Public Forum – None

IV. Consent Items – Thornberry moved to approve the minutes of 08-08-22 Regular Meeting, seconded by Landon. Motion carried unanimously.

V. Council Business

A. Landon made a motion to open the public hearing for the purpose of conducting a public hearing on the designation of an urban renewal area and on a proposed urban renewal plan and projects, seconded by Flanery. With the roll being called, the motion carried unanimously.

The City Council investigated and found that notice of the intention of the City Council to conduct a public hearing on the designation of the Panora Housing Urban Renewal Area and on an urban renewal plan and projects for the area 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. No written or oral objections, statements, and evidence were filed. No individuals were present for the hearing.

There being no further objections, comments, or evidence offered, the Mayor asked for a motion to close the hearing. Dorsett made the motion, seconded by Landon. With the roll being called, the motion carried unanimously.

B. Council Member Thornberry moved the adoption of Resolution 22-41 entitled “A 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 and Projects for the Panora Housing Urban Renewal Area,” seconded by Council Member Landon. After due consideration, the Mayor put the question on the motion and the roll being called, the resolution carried unanimously.

C. Council Member Landon introduced an ordinance entitled “Ordinance No. 347. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Panora Housing 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:

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Ayes: Dorsett, Flanery, Gliem, Landon, Thornberry
Nays: None

It was moved by Council Member Dorsett 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 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 Dorsett and seconded by Council Member Thornberry that the ordinance entitled “Ordinance No. 347. An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Panora Housing 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. 347

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the Panora Housing 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 Panora Housing 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.

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.

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“Urban Renewal Area” shall mean the taxable real property situated in the Panora Housing Urban Renewal Area, the boundaries of which are set out below, such property having been identified in the Urban Renewal Plan approved by the City Council by resolution adopted on August 22, 2022:

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

The East 45.60 Rods of the North 6.68 Rods of Lot 3 of Lot 9 in the Northeast Quarter (NE¹/₄) of the Southwest Quarter (SW¹/₄) of Section Thirty-two (32), Township Eighty (80) North, Range Thirty (30), West of the 5th P.M., in Guthrie County, Iowa, also described as the East 45.60 rods of Lot 3 of Lot 9 of the Northeast Quarter (NE¹/₄) of the Southwest Quarter (SW¹/₄) of Section Thirty-two (32), Township Eighty (80) North, Range Thirty (30), West of the 5th P.M., in Guthrie County, Iowa; and

Lot Three (3) of Lot Nine (9) of the Northeast Quarter (NE¹/₄) of the Southwest Quarter (SW¹/₄), excepting the South 40 feet thereof and excepting therefrom the East 45.60 rods, of Section Thirty-two (32), Township Eighty (80) North, Range Thirty (30), West of the 5th P. M., Guthrie County, Iowa.

Also known as Lots One (1) and Two (2) of Lot Three (3) of Lot Nine (9) in the Northeast Quarter (NE¹/₄) of the Southwest Quarter (SW¹/₄) of Section Thirty-two (32), Township Eighty (80) North, Range Thirty (30), west of the 5th P. M., Guthrie County, Iowa.

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:

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.

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

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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.

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.

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.

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

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.

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

Passed and approved by the City Council of the City of Panora, Iowa, on August 22, 2022.

Patrick Parker, Mayor

Attest:

Lisa Grossman, City Administrator

CLERK'S CERTIFICATE

Mayor Patrick Parker

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I hereby certify that the foregoing Ordinance No. 347 was published as required by law on the _____ day of _____, 2022.

SIGNED _____

Lisa Grossman, City Administrator

D. The Development Agreement with Panora Telecommunications, Inc was considered.

E. Resolution 22-42, setting a Date of Meeting at which it is Proposed to Approve a Development Agreement with Panora Telecommunications, Inc., Including Annual Appropriation Tax Increment Payments was considered. Landon made a motion to approved, seconded by Flanery. With the roll being called, the resolution carried unanimously.

F. Recommendations from the Planning and Zoning Committee were considered.

G. A request from Jason and Jessica Alsted of 103 NE 4th Street to vacate an alley was discussed. Landon made a motion to follow the Planning and Zoning board recommendation to deny the request, seconded by Dorsett. With the roll being called, the motion carried unanimously.

H. Resolution 22-43 was considered, setting a public hearing regarding the proposed Zoning Change to add a Residential Two District and to classify certain residential lots to this district. Thornberry made a motion to set the hearing for September 12th, at 5:30 p.m. at Panora City Hall, seconded by Gliem. With the roll being called, the resolution carried unanimously.

I. Resolution 22-44 setting a public hearing regarding a proposed amendment to Chapter 165 Zoning Regulations, relating to District and Supplementary District Regulations was also discussed. Thornberry made a motion to set the hearing for September 12th, at 5:30 p.m. at Panora City Hall, seconded by Landon. With the roll being called, the resolution carried unanimously.

VI. Information Items. Administrator Grossman provided a verbal report to the Council and a video was shown of the Clay Street project.

Mayor Parker asked for a motion to adjourn. Dorsett made a motion to adjourn at 5:56 p.m., seconded by Flanery. With the roll being called, the motion carried unanimously.

Patrick Parker, Mayor

ATTEST:

Lisa Grossman, City Administrator

Mayor Patrick Parker