

# CITY OF HUXLEY

TUESDAY – OCTOBER 24, 2017 – HUXLEY CITY HALL

## AGENDA

CITY COUNCIL MEETING – 6:00 PM

*Amended*

**PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF HUXLEY, IOWA, WILL MEET AT THE HUXLEY CITY HALL 515 N. MAIN AVE., HUXLEY, IOWA, FOR THEIR REGULAR COUNCIL MEETING AT 6:00 PM ON TUESDAY THE 24<sup>th</sup> DAY OF OCTOBER, 2017 TO DISCUSS THE MATTERS ENUMERATED IN THE AGENDA LISTED BELOW.**

### ROLL CALL – QUORUM PRESENT

- 1.00) COMMENTS FROM THE PUBLIC AND RECEIVING OF PETITIONS AND/OR WRITTEN COMMUNICATIONS TO THE CITY COUNCIL ON AGENDA AND NONAGENDA ITEMS.
- 2.00) PRESENTATION(S):
  - a.) Shon Bruellman – Big Red Truck -- Rescheduled
- 3.00) PROCLAMATION(S): NONE
- 4.00) CONSENT AGENDA:

**ALL ITEMS LISTED WITHIN THIS SECTION ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS UNLESS A COUNCIL MEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS. AND CONSIDERED SEPARATELY.**

- 4.01) TO APPROVE THE MINUTES FROM THE FOLLOWING MEETINGS:
  - October 10, 2017 -- Regular Council Meeting
- 4.02) TO APPROVE FINANCIAL REPORTS AND PAYMENT OF BILLS.
- 4.03) TO APPROVE BEER, WINE AND LIQUOR LICENSES, CIGARETTE PERMITS/ RENEWALS.
- 4.04) TO APPROVE THE APPOINTMENT OF JOSEPH SCOTT TO THE PLANNING AND ZONING COMMISSION.
- 4.05) TO APPROVE THE APPOINTMENT OF MARK JUDGE TO THE HUXLEY TREE BOARD.
- 4.06) TO APPROVE THE REAPPOINTMENT OF CHUCK HELMS TO THE HUXLEY LIBRARY BOARD.
- 4.07) TO APPROVE THE APPOINTMENT OF AMANDA DeMARIS HUXLEY PARKS AND RECREATION BOARD.
- 4.08) TO APPROVE THE REAPPOINTMENT OF JAY JOHNSON TO THE HUXLEY PARKS AND RECREATION BOARD,

**5.00) PUBLIC HEARING(S):**

- 5.01) PUBLIC HEARING ON PROPOSED DEVELOPMENT AGREEMENT WITH MEADOW LANE INVESTMENTS, L.L.C.”**
- a.) Mayor Opens Hearing
  - b.) Discussion
  - c.) Council Closes Hearing

**AGENDA ITEMS:**

**6.00) COMMUNITY BETTERMENT:**

- 6.01) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-081 APPROVING DEVELOPMENT AGREEMENT WITH MEADOW LANE INVESTMENTS, L.L.C., AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT”**
- 6.02) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-082 SETTING THE DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT FOR INNOVATIVE TECHNOLOGIES.**
- 6.03) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-084 SETTING DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH INNOVATIVE TECHNOLOGIES, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS.**

**7.00) PUBLIC SAFETY:**

- 7.01) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-080 APPROVING APPOINTMENTS OF MEMBERS AS THE CITY OF HUXLEY REPRESENTATIVES TO THE POLK COUNTY JOINT 911 SERVICE BOARD.**

**8.00) FINANCE:**

- 8.01) DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-083 AUTHORIZING THE CERTIFICATION OF LIENS TO THE STORY COUNTY TREASURER FOR PURP90SES OF ASSESSING THE COST OF THE TREE TRIMMING CHARGES AGAINST THE PROPERTY AT 202 SYCAMORE.**

**9.00) LEISURE ACTIVITIES: NONE**

**10.00) ADMINISTRATIVE BUSINESS: NONE**

***COMMENTS FROM STAFF, COUNCIL AND MAYOR.***

**ADJOURNMENT**

***THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE WINDOW IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE AND VIEWABLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.***

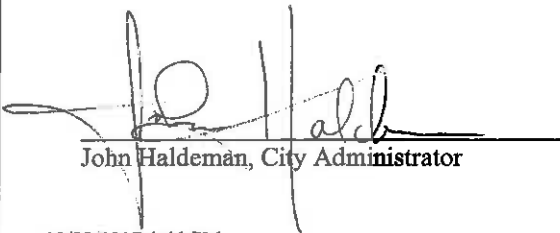
**WORKSESSION:**

THE CITY COUNCIL WILL MEET FOR AN INFORMAL WORKSESSION TO WORK ON ITEMS AND NOT TAKE ANY ACTION ON THOSE ITEMS DURING THE WORKSESSION.

DISCUSSION TOPICS; THAT THE FOLLOWING TOPICS ARE SUGGESTED AND THEY DO NOT REFLECT ALL POSSIBLE ITEMS THAT COULD BE DISCUSSED OR NOT. THE LISTING BELOW DOES NOT NECESSARILY REFLECT THE ORDER IN WHICH THE ITEMS WILL BE DISCUSSED OR IF THEY WOULD BE DISCUSSED AT THIS MEETING. NO ACTION WILL BE TAKEN ON ANY OF THE ITEMS AND THE LIST MAY CHANGE PRIOR TO OR AT THE MEETING.

1. Iron Bridge
2. Residential Subdivision
3. Food Trucks
4. Building Codes
5. Miscellaneous

*THIS NOTICE IS HEREBY GIVEN AT LEAST 24 HOURS PRIOR TO THE COMMENCEMENT OF THE MEETING SPECIFIED ABOVE. THIS WAS DONE BY ADVISING THE NEWS MEDIA WHO HAVE FILED A REQUEST FOR NOTICE AND BY POSTING THE NOTICE ON THE WINDOW IN THE LOBBY AREA IN CITY HALL THAT IS ACCESSIBLE AND VIEWABLE TO THE PUBLIC. THIS WAS ALL PURSUANT TO CHAPTER 21 OF THE CODE OF IOWA.*



John Haldeman, City Administrator

10/23/2017 4:46 PM

Prepared by John Danos of Dorsey Whitney, Bond Consul and reformatted by John Haldeman, City Administrator for the City of Huxley, Iowa on the 24th day of October, 2017.

**RESOLUTION NO. 17-082**

**RESOLUTION SETTING DATE FOR PUBLIC HEARING ON URBAN RENEWAL PLAN AMENDMENT**

WHEREAS, the City Council of the City of Huxley, Iowa by resolution previously established the Huxley Urban Renewal Area (the "Urban Renewal Area") and adopted an urban renewal plan (the "Plan") for the governance of initiatives and projects therein; and

WHEREAS, an amendment (the "Amendment") to the Plan has been prepared which authorizes the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to SP Enterprises, LLC d/b/a Innovative Technologies (the "Company") in connection with the construction and operation of new manufacturing facilities for use in the Company's business operations in the Urban Renewal Area, and it is now necessary that a date be set for a public hearing on the Amendment; and

NOW, THEREFORE, Be It Resolved by the City Council of the City of Huxley, Iowa, as follows:

Section 1. This City Council will meet at the Huxley City Hall Council Chambers, Huxley, Iowa, on **November 28, 2017, at 6 o'clock p.m.**, at which time and place it will hold a public hearing on the proposed Amendment.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the form attached hereto, which publication shall be made in a legal newspaper of general circulation in the City, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
<b>Kevin Deaton</b>	—	—	—
<b>Craig Hemmen</b>	—	—	—
<b>Dave Jensen</b>	—	—	—
<b>Dave Kuhn</b>	—	—	—
<b>Tracey Roberts</b>	—	—	—

***PASSED, ADOPTED AND APPROVED*** this 24<sup>th</sup> day of October 2017.

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 17-082** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this 24<sup>th</sup> day of October 2017.

\_\_\_\_\_  
Craig D. Henry, Mayor

Attest:

\_\_\_\_\_  
Jolene Lettow, City Clerk

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On motion and vote the meeting adjourned.

\_\_\_\_\_  
Craig D. Henry, Mayor

Attest:

\_\_\_\_\_  
Jolene Lettow, City Clerk

**NOTICE OF PUBLIC HEARING ON PROPOSED URBAN RENEWAL  
PLAN AMENDMENT**

Notice Is Hereby Given: That at 6 o'clock p.m., at the Huxley City Hall Council Chambers, Huxley, Iowa, on November 28, 2017, the City Council of the City of Huxley, Iowa, will hold a public hearing on the question of amending the urban renewal plan for the Huxley Urban Renewal Area (the "Urban Renewal Area") to authorize the undertaking of a new urban renewal project in the Urban Renewal Area consisting of providing tax increment financing support to SP Enterprises, LLC d/b/a Innovative Technologies (the "Company") in connection with the construction and operation of new manufacturing facilities for use in the Company's business operations in the Urban Renewal Area. A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Jolene Lettow  
City Clerk

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On motion and vote the meeting adjourned.

\_\_\_\_\_  
Craig D. Henry, Mayor

Attest:

\_\_\_\_\_  
Jolene Lettow, City Clerk

CITY OF HUXLEY, IOWA  
URBAN RENEWAL PLAN AMENDMENT  
HUXLEY URBAN RENEWAL AREA

November, 2017

The Urban Renewal Plan (the “Plan”) for the Huxley Urban Renewal Area (the “Urban Renewal Area”) is being amended for the purpose of identifying new urban renewal projects to be undertaken therein.

**1) Identification of Project.** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project description:

**Name of Project:** Innovative Technologies Development Project

**Name of Urban Renewal Area:** Huxley Urban Renewal Area

**Date of Council Approval of the Project:** November 28, 2017

**Description of the Project and Project Location:** SP Enterprises, LLC d/b/a/ Innovative Technologies (the “Company”) has proposed to undertake the construction and operation of new manufacturing facilities (the “Development Project”) on certain real property (the “Development Property”) situated in the Blue Sky Commons Business Park in the Urban Renewal Area.

It has been requested that the City provide tax increment financing assistance to the Company in support of the efforts to complete, operate and maintain the Development Project.

The costs incurred by the City in providing tax increment financing assistance to the Company will include legal and administrative fees (the “Admin Fees”) in the estimated amount of \$7,500.

**Description of Public Infrastructure to be Constructed:** It is not expected that the City will install public infrastructure improvements in connection with the Development Project.

**Description of Properties to be Acquired by the City:** It is not anticipated that the City will acquire real property in connection with the Development Project.

**Description of Use of TIF for the Project:** The City intends to enter into a Development Agreement with the Company with respect to the construction and use of the Development Project and to provide annual appropriation economic development payments (the “Payments”) to the Company thereunder. The Payments will be funded with incremental property tax revenues to be derived from the Development Property. It is anticipated that



the City's total commitment of incremental property tax revenues with respect to the Development Project will not exceed \$170,000, plus the Admin Fees.

**2) Required Financial Information.** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$12,666,808</u>
Outstanding general obligation debt of the City:	<u>\$ 9,891,484.</u>
Proposed debt to be incurred under this November, 2017 Amendment*:	<u>\$ 177,500</u>

\*It is anticipated that some or all of the debt incurred hereunder will be subject to annual appropriation by the City Council.

Prepared by John Danos of Dorsey Whitney, Bond Consul and reformatted by John Haldeman, City Administrator for the City of Huxley, Iowa on the 24th day of October, 2017.

**RESOLUTION NO. 17-084**

**RESOLUTION SETTING A DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH SP ENTERPRISES, LLC D/B/A INNOVATIVE TECHNOLOGIES, INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS.**

WHEREAS, the City of Huxley, Iowa (the “City”), pursuant to and in strict compliance with all laws applicable to the City, and in particular the provisions of Chapter 403 of the Code of Iowa, has adopted an Urban Renewal Plan for the Huxley Urban Renewal Area (the “Urban Renewal Area”); and

WHEREAS, this City Council has adopted an ordinance providing for the division of taxes levied on taxable property in the Urban Renewal Area pursuant to Section 403.19 of the Code of Iowa and establishing the fund referred to in Subsection 2 of Section 403.19 of the Code of Iowa, which fund and the portion of taxes referred to in that subsection may be irrevocably pledged by the City for the payment of the principal and interest on indebtedness incurred under the authority of Section 403.9 of the Code of Iowa to finance or refinance in whole or in part projects in the Urban Renewal Area; and

WHEREAS, the City proposes to enter into a certain development agreement (the “Development Agreement”) with SP Enterprises, LLC d/b/a Innovative Technologies (the “Company”) in connection with the construction and operation of new manufacturing facilities for use in the Company’s business operations in the Urban Renewal Area; and

WHEREAS, the Development Agreement would provide financial incentives to the Company in the form of annual appropriation incremental property tax payments in an amount not to exceed \$170,000 under the authority of Section 403.9(1) of the Code of Iowa; and

WHEREAS, it is necessary to set a date for a public hearing on the Development Agreement, pursuant to Section 403.9 of the Code of Iowa;

NOW THEREFORE, IT IS RESOLVED by the City Council of the City of Huxley, Iowa, as follows:

Section 1. This City Council shall meet on **November 24, 2017, at 6:00 o’clock pm., at the City Council Chambers**, in the City, at which time and place proceedings will be instituted and action taken to approve the Development Agreement and to authorize the annual appropriation incremental property tax payments.

Section 2. The City Clerk is hereby directed to give notice of the proposed action, the time when and place where said meeting will be held, by publication at least once not less than four days and not more than twenty days before the date of said meeting in a legal newspaper of general circulation in the City. Said notice shall be in substantially the following form:

**NOTICE OF MEETING FOR APPROVAL OF DEVELOPMENT AGREEMENT WITH  
SP ENTERPRISES, LLC D/B/A INNOVATIVE TECHNOLOGIES AND  
AUTHORIZATION OF ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS**

**The City Council of the City of Huxley, Iowa, will meet at the City Council Chambers, on November 24, 2017, at 6 o'clock p.m.,** at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and SP Enterprises, LLC d/b/a Innovative Technologies (the "Company") in connection with the construction and operation of new manufacturing facilities for use in the Company's business operations in the Huxley Urban Renewal Area, which Agreement provides for certain financial incentives in the form of incremental property tax payments to the Company in a total amount not exceeding \$170,000 as authorized by Section 403.9 of the Code of Iowa.

The Agreement to make incremental property tax payments to the Company will not be a general obligation of the City, but will be payable solely and only from incremental property tax revenues generated within the Huxley Urban Renewal Area. Some or all of the payments under the Development Agreement may be made subject to annual appropriation by the City Council.

At the meeting, the City Council will receive oral or written objections from any resident or property owner of the City. Thereafter, the City Council may, at the meeting or at an adjournment thereof, take additional action to approve the Development Agreement or may abandon the proposal.

This notice is given by order of the City Council of Huxley, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Jolene Lettow  
City Clerk

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

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
<b>Kevin Deaton</b>	—	—	—
<b>Craig Hemmen</b>	—	—	—
<b>Dave Jensen</b>	—	—	—
<b>Dave Kuhn</b>	—	—	—
<b>Tracey Roberts</b>	—	—	—

***PASSED, ADOPTED AND APPROVED*** this 24<sup>th</sup> day of October 2017.

**APPROVAL BY MAYOR**

I hereby approve the foregoing **Resolution No. 17-084** by affixing below my official signature as Mayor of the City of Huxley, Iowa, this 24<sup>th</sup> day of October 2017.

\_\_\_\_\_  
Craig D. Henry, Mayor

Attest:

\_\_\_\_\_  
Jolene Lettow, City Clerk

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On motion and vote the meeting adjourned.

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Craig D. Henry, Mayor

Attest:

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Jolene Lettow, City Clerk