

April 24, 2025

**VIA EMAIL**

Matthew Schmitz  
City Manager /City Hall  
Independence, Iowa

Re: 2025 Pines Housing Urban Renewal Area  
Our File No. 419440-111

Dear Matthew:

Attached please find two sets of proceedings for use by the City Council on April 28, 2025.

The first set of proceedings covers the City Council's action in holding a public hearing on the designation of the urban renewal area and adopting a resolution to approve the urban renewal plan for that Area.

The second set of proceedings covers the adoption of the tax increment ordinance for the urban renewal area.

Once the ordinance has been finally adopted, it must be published, and a copy must be filed with the County Auditor of Buchanan County. Please print extra copies of the ordinance for publishing and filing. Certificates are included in the proceedings to attest to each of those acts.

We will appreciate receiving executed copies of these proceedings as soon as they are available. Please contact John Danos or me if you have any questions.

Kind regards,

Amy Bjork

Attachments

cc: Susi Lampe

HEARING ON DESIGNATION OF 2025  
PINES HOUSING URBAN RENEWAL  
AREA AND URBAN RENEWAL PLAN

419440-111

Independence, Iowa

April 28, 2025

The City Council of the City of Independence, Iowa, met on April 28, 2025, at 5:00 p.m., at the City Hall, Independence, Iowa, 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. The Mayor presided and the roll being called the following members of the Council were present and absent:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

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 2025 Pines Housing Urban Renewal Area and on an urban renewal plan and projects for such 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. All written objections, statements, and evidence heretofore filed were reported to the City Council, and all oral objections, statements, and all other exhibits presented were considered.

The following named persons presented oral objections, statements, or evidence as summarized below; filed written objections or statements, copies of which are attached hereto; or presented other exhibits, copies of which are attached hereto:

(Here list all persons presenting written or oral statements or evidence and summarize each presentation.)

There being no further objections, comments, or evidence offered, the Mayor announced the hearing closed.

Council Member \_\_\_\_\_ moved the adoption of a resolution 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 2025 Pines Housing Urban Renewal Area,” seconded by Council Member \_\_\_\_\_. After due consideration, the Mayor put the question on the motion and the roll being called, the following named members of the Council voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

Whereupon, the Mayor declared the resolution duly adopted and signed approval thereto.

RESOLUTION NO. 2025-\_\_\_\_\_

A Resolution to Declare Necessity and Establish an Urban Renewal Area,  
Pursuant to Section 403.4 of the Code of Iowa and to Approve Urban Renewal  
Plan and Projects for the 2025 Pines Housing Urban Renewal Area

WHEREAS, as a preliminary step to exercising the authority conferred upon Iowa cities by Chapter 403 of the Code of Iowa, the “Urban Renewal Law,” a municipality must adopt a resolution finding that one or more slums, blighted or economic development areas exist in the municipality and that the development of such area or areas is necessary in the interest of the public health, safety or welfare of the residents of the municipality; a

WHEREAS, it has been proposed by the City Council of the City of Independence, Iowa, (the “City”) that the 2025 Independence Housing Urban Renewal Area (the “Urban Renewal Area”) be established on the property (the “Property”) described on Exhibit A to this Resolution; and

WHEREAS, the proposal demonstrates that sufficient need exists to warrant finding the Urban Renewal Area to be an economic development area; and

WHEREAS, a proposed urban renewal plan (the “Plan”) has been prepared for the governance of projects and initiatives to be undertaken in the Urban Renewal Area and which authorizes a certain initial urban renewal project to be undertaken in the Urban Renewal Area consisting of providing tax increment financing support to Steve Gee Construction, Inc. (the “Developer”) in connection with the construction by the Developer of public infrastructure necessary for the development of a residential subdivision; and

WHEREAS, notice of a public hearing by the City Council on the question of establishing the Property as an urban renewal area and on the Plan and project for the Urban Renewal Area was heretofore given in strict compliance with the provisions of Chapter 403 of the Code of Iowa, and the City Council has conducted said hearing on April 28, 2025; and

WHEREAS, the Plan was submitted to and commented on by the Planning and Zoning Commission of the City; and

WHEREAS, copies of the Plan, notice of public hearing and notice of a consultation meeting with respect to the urban renewal plan were mailed to Buchanan County and the Independence Community School District; the consultation meeting was held on April 4, 2025; and responses to any comments or recommendations received following the consultation meeting were made as required by law; and

NOW, THEREFORE, It Is Resolved by the City Council of the City of Independence, Iowa, as follows:

Section 1. An economic development area as defined in Chapter 403 of the Code of Iowa is found to exist on the Property.

Section 2. The Property is hereby declared to be an urban renewal area, in conformance with the requirements of Chapter 403 of the Code of Iowa and is hereby designated the 2025 Pines Housing Urban Renewal Area.

Section 3. The development of the Property is necessary in the interest of the public health, safety or welfare of the residents of the City.

Section 4. It is hereby determined by this City Council as follows:

- A. The Plan conforms to the general plan of the municipality as a whole;
- B. Proposed development in the Urban Renewal Area is necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives; and
- C. It is not anticipated that families will be displaced as a result of the City's undertakings under the Plan. Should such issues arise with future projects, then the City will ensure that a feasible method exists to carry out any relocations without undue hardship to the displaced and into safe, decent, affordable and sanitary housing.

Section 5. The Plan for the Urban Renewal Area is made a part hereof and is hereby in all respects approved in the form presented to this City Council, and the proposed project described in the Plan is hereby in all respects approved.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved April 28, 2025.

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Mayor

Attest:

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City Clerk

**EXHIBIT A  
LEGAL DESCRIPTION  
2025 PINES HOUSING URBAN RENEWAL AREA**

Beginning at the SE corner of Lot 5, Hummingbird Court at the Pines, Second Addition to the City of Independence, Buchanan County, Iowa; thence along the East line of said Hummingbird Court at the Pines, Second Addition, N00°43'24"W, 45.49 feet; thence continuing along said East line N00°25'10"W, 269.98 feet to the SW corner of Lot 6, Goldfinch Court at the Pines, First Addition; thence along the southerly line of said Goldfinch Court at the Pines, First Addition, N61°11'21"E, 736.70 feet; thence N65°25'41"E, 88.35 feet to the SW corner of Lot 4, Cardinal Court at the Pines; thence along the southerly boundary of Cardinal Court at the Pines N81°16'41"E, 193.75 feet; thence N89°50'03"E, 263.16 feet to the west right-of-way line of 6th Avenue Southwest; thence along said west right-of-way line S00°09'57"E, 277.74 feet to the Northeast corner of Tract A of the Pines First Addition; thence along the northerly line of said Pines First Addition S89°50'08"W, 251.57 feet; thence S61°22'57"W, 936.33 feet to the NE corner of Lot 1 of the Pines Second Addition; thence S75°25'08"W, 41.49 feet; thence N89°59'47"W, 65.11 feet to the point of beginning. Described land contains 9.12 acres and is subject to easements and restrictions of record.

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Upon motion and vote, the meeting adjourned.

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Mayor

Attest:

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City Clerk

STATE OF IOWA  
BUCHANAN COUNTY                      SS:  
CITY OF INDEPENDENCE

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting City Clerk of the City of Independence, Iowa, and that as such I have in my possession or have access to the complete corporate records of the City and of its officers; and that I have carefully compared the transcript hereto attached with the aforesaid records and that the attached is a true, correct and complete copy of the corporate records relating to the action taken by the City Council preliminary to and in connection with designating an urban renewal area and approving the urban renewal plan and projects for the 2025 Pines Housing Urban Renewal Area in the City.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Clerk

**(Please attach to this certificate a copy of the minutes or a resolution of the Planning and Zoning Commission showing the action taken by that Commission with respect to the urban renewal plan.)**



MINUTES PROVIDING FOR **FIRST**  
**CONSIDERATION** OF AN ORDINANCE  
ESTABLISHING A TAX INCREMENT  
FINANCING DISTRICT FOR THE 2025  
PINES HOUSING URBAN RENEWAL  
AREA

419440-111

Independence, Iowa

April 28, 2025

The City Council of Independence, Iowa, met on April 28, 2025, at 5:00 p.m., at the City Hall, in Independence, Iowa.

The Mayor presided and the roll was called showing the members present and absent, as follows:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

Council Member \_\_\_\_\_ introduced an ordinance entitled “Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa.”

It was moved by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ 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: \_\_\_\_\_

Nays: \_\_\_\_\_.

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

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There being no further business to come before the meeting, it was upon motion adjourned.

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Mayor

Attest:

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City Clerk

MINUTES PROVIDING FOR **SECOND**  
**CONSIDERATION** OF AN ORDINANCE  
ESTABLISHING A TAX INCREMENT  
FINANCING DISTRICT FOR THE 2025  
PINES HOUSING URBAN RENEWAL  
AREA

419440-111

Independence, Iowa

\_\_\_\_\_, 2025

The City Council of the City of Independence, Iowa, met on \_\_\_\_\_, 2025 at 5:00 p.m., at the City Hall, in Independence, Iowa.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

The Mayor announced that on April 28, 2025 the Council had given its initial consideration and had adopted an ordinance entitled "Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ that the aforementioned ordinance be given its second consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

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

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There being no further business to come before the meeting, it was upon motion adjourned.

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Mayor

Attest:

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City Clerk

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MINUTES PROVIDING FOR FINAL  
CONSIDERATION AND ADOPTION OF  
AN ORDINANCE ESTABLISHING A  
TAX INCREMENT FINANCING  
DISTRICT FOR THE 2025 PINES  
HOUSING URBAN RENEWAL AREA

419440-111

Independence, Iowa

\_\_\_\_\_, 2025

The City Council of the City of Independence, Iowa, met on \_\_\_\_\_, 2025 at 5:00 p.m., at the City Hall, in Independence, Iowa.

The Mayor presided and the roll was called showing members present and absent, as follows:

Present: \_\_\_\_\_

Absent: \_\_\_\_\_.

The Mayor announced that, on April 28, 2025, and on \_\_\_\_\_, 2025, the Council had given initial and second consideration and had adopted an ordinance entitled "Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa."

It was moved by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_ that the aforementioned ordinance be given its final consideration and that it be adopted. The Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_.

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

ORDINANCE NO. 2025-\_\_\_\_\_

An Ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2025 Pines 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 Independence, Iowa:

Section 1. Purpose. The purpose of this ordinance is to provide for the division of taxes levied on the taxable property in the 2025 Pines 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.

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

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

“County” shall mean Buchanan County, Iowa.

“Urban Renewal Area” shall mean the taxable real property situated in 2025 Pines 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 April 28, 2025:

Beginning at the SE corner of Lot 5, Hummingbird Court at the Pines, Second Addition to the City of Independence, Buchanan County, Iowa; thence along the East line of said Hummingbird Court at the Pines, Second Addition, N00°43'24"W, 45.49 feet; thence continuing along said East line N00°25'10"W, 269.98 feet to the SW corner of Lot 6, Goldfinch Court at the Pines, First Addition; thence along the southerly line of said Goldfinch Court at the Pines, First Addition, N61°11'21"E, 736.70 feet; thence N65°25'41"E, 88.35 feet to the SW corner of Lot 4, Cardinal Court at the Pines; thence along the southerly boundary of Cardinal Court at the Pines N81°16'41"E, 193.75 feet; thence N89°50'03"E, 263.16 feet to the west right-of-way line of 6th Avenue Southwest; thence along said west right-of-way line S00°09'57"E, 277.74 feet to the Northeast corner of Tract A of the Pines First Addition; thence along the northerly line of said Pines First Addition S89°50'08"W, 251.57 feet; thence S61°22'57"W, 936.33 feet to the NE corner of Lot 1 of the Pines Second Addition; thence S75°25'08"W, 41.49 feet; thence N89°59'47"W, 65.11 feet to the point of beginning. Described land contains 9.12 acres and is subject to easements and restrictions of record.

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.

(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 by the City Council of the City of Independence, Iowa, on \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

First consideration: April 28, 2025

Second consideration: \_\_\_\_\_, 2025

Final consideration: \_\_\_\_\_, 2025



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There being no further business to come before the meeting, it was upon motion adjourned.

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Mayor

Attest:

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City Clerk

STATE OF IOWA  
BUCHANAN COUNTY  
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, Iowa, do hereby certify that the attached is a true, correct and complete copy of all the records of the City Council of the City relating to the adoption of an ordinance entitled "Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa."

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Clerk

STATE OF IOWA

SS:

BUCHANAN COUNTY

I, the undersigned, County Auditor of Buchanan County, in the State of Iowa, do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2025, a copy of an ordinance of the City was filed in my office, shown to have been adopted by the City Council and approved by the Mayor thereof on \_\_\_\_\_, 2025, entitled: "Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa," and that I have duly placed a copy of the ordinance on file in my records.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
County Auditor

STATE OF IOWA  
BUCHANAN COUNTY  
CITY OF INDEPENDENCE

SS:

I, the undersigned, City Clerk of the City of Independence, Iowa, do hereby certify that I caused to be published "Ordinance No. 2025-\_\_\_\_\_. An Ordinance providing for the division of taxes levied on taxable property in the 2025 Pines Housing Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa," of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in the City.

WITNESS MY HAND this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
City Clerk

**(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)**

**(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published ordinance and have verified that it was published on the date indicated in the publisher's affidavit.)**