

**RESOLUTION NO. 2018-70**

**A RESOLUTION SETTING DATE OF MEETING AT WHICH IT IS PROPOSED TO APPROVE A DEVELOPMENT AGREEMENT WITH WAPSIE VALLEY CREAMERY, INC., INCLUDING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS**

**WHEREAS**, the City of Independence, 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 Independence 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 Wapsie Valley Creamery, Inc. (the “Company”) in connection with the construction of a new warehouse for use as additional storage space in the Company’s manufacturing business operations on certain real property 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 \$500,000 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 Independence, Iowa, as follows:

Section 1. This City Council shall meet on September 10, 2018, at 6:30 p.m., at the City Hall 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 WAPSIE VALLEY CREAMERY, INC. AND AUTHORIZATION OF ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS**

The City Council of the City of Independence, Iowa, will meet at the City Hall Council Chambers, on September 10, 2018, at 6:30 p.m., at which time and place proceedings will be instituted and action taken to approve a Development Agreement between the City and Wapsie Valley Creamery, Inc. (the “Company”) in connection with the construction of a new warehouse for use as additional storage space in the Company’s manufacturing business operations on certain real property in the Independence 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 \$500,000 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 Independence 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 Independence, Iowa, in accordance with Section 403.9 of the Code of Iowa.

Jeena Lynch  
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.

**Resolution No. 2018-70** was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 27<sup>TH</sup> day of August, 2018.

Record of Voting:

Ayes: Scharff, O'Loughlin, Hanna, Vaughn, Kurtz, Hayward, and Hill.

Nays:

**Resolution No. 2018-70** declared passed and adopted by the Mayor on this 27<sup>TH</sup> day of August, 2018.



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Bonita Davis, Mayor of the City of Independence, Iowa

ATTEST:



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Jeena Lynch, City Clerk/Treasurer of the City of Independence, Iowa