



Gene L. Beach, Mayor  
Dick Hierstein, City Administrator  
24 North Center Street  
Marshalltown, IA 50158-4911  
Tel - (641) 754-5756  
Fax - (641) 754-5742

## Housing & Community Development

TO: Mayor and City Council Members

FROM: Michelle Spohnheimer, Housing & Community Development Director *MS*

DATE: March 4, 2010

RE: **Enterprise Zone Renewal**

As you are all aware we have been working on a housing redevelopment project in the downtown and the City Enterprise Zone Commission recently approved an application which was submitted to the Iowa Department of Economic Development for approval. As IDEED was working on the application a question came up regarding our certification date. It appears that our zone may have expired and we will have to submit an application for renewal.

At this point I do not have much additional information I will hopefully have more on Monday when the IDEED staff person returns to his office. I will provide an update on Monday during discussion agenda.

Michelle Spohnheimer  
Housing & Community Development Director  
City of Marshalltown  
641-754-5756 phone  
641-754-5742 fax  
[mspohnheimer@ci.marshalltown.ia.us](mailto:mspohnheimer@ci.marshalltown.ia.us)

City Council  
William Backoff, Marla Grabenbauer, Al Hoop, Andrea Maxwell  
Robert Schubert, Robert Wenner, Bethany Wirin

RESOLUTION DECLARING CERTAIN AREAS OF MARSHALLTOWN, IOWA TO BE INCLUDED IN AN ENTERPRISE ZONE, TO BE BLIGHTED AREAS AND DIRECTING CITY STAFF TO PURSUE ENTERPRISE ZONE STATUS

WHEREAS the City of Marshalltown, Iowa has had an approved Enterprise Zone since 1999 pursuant to the procedures and criteria set out in Division XVIII of Chapter 15E of the Iowa Code; and

WHEREAS the contiguous areas set out in attachment A and as shown on the attached map be considered for economic development enterprise zone status are blighted areas as defined by Section 403.17 of the Iowa Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. Each of the following areas described in Attachment A and made part of this Resolution are declared by the City Council of Marshalltown, Iowa to be a “blighted area” as defined by Section 403.17, Subsection 5 of the Iowa Code.

Section 2. The staff of the City of Marshalltown, Iowa is authorized and directed to proceed in the processes and procedures necessary to re-establish the above referenced areas as an economic development enterprise zone.

Section 3. This resolution shall be in full force and effect from and after its passage and signature as by law provided.

Passed this 8<sup>th</sup> day of March 2010 and signed this \_\_\_\_ day of March 2010.

CITY OF MARSHALLTOWN, IOWA

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Gene L. Beach, Mayor

ATTEST:

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Shari L. Coughenour, CMC, City Clerk

## **Attachment A**

### **2010 City of Marshalltown Enterprise Zone Legal Description**

Beginning at the center line intersection of North 3<sup>rd</sup> Avenue and Woodland Street, thence south along the centerline of North 3<sup>rd</sup> Avenue to East Lincoln Street, thence west along the center line of East Lincoln Street to North 3<sup>rd</sup> Street, thence south along the center line of North 3<sup>rd</sup> Street to Jerome Street, thence west along the center line of Jerome Street to North 4<sup>th</sup> Street., thence south along the center line of North 4<sup>th</sup> Street to West Linn Street, thence west along the center line of West Linn Street to South 6<sup>th</sup> Street, thence south along the center line of South 6<sup>th</sup> Street to West Nevada Street, thence east along the center line of West Nevada Street to South 5<sup>th</sup> Street, thence south along the center line of South 5<sup>th</sup> Street to West Madison Street, thence east along the center line of West Madison Street to South 3<sup>rd</sup> Avenue, thence south along the center line of South 3<sup>rd</sup> Avenue, thence along South 3<sup>rd</sup> Avenue to Linn Creek, thence east along Linn Creek to East Nevada Street, thence east along the center line of East Nevada Street to South 12<sup>th</sup> Avenue, thence south along the center line of South 12<sup>th</sup> Avenue to East Olive Street, thence east along the center line of East Olive Street to Beer Garden Road, thence north along the center line of Beer Garden Road to the Le Grand and Marion Township line, thence east along the Township line to City of Marshalltown city limits, thence north on the City of Marshalltown city limits to Quarry Road, thence east along the center line of Quarry Road to the City of Marshalltown city limits, thence north along the City of Marshalltown city limits to East Main Street, thence west along the center line of East Main Street to the City of Marshalltown city limits, thence north along the City of Marshalltown city limits to Linn Creek, thence west along Linn Creek to North 18<sup>th</sup> Avenue, thence north along the center line of North 18<sup>th</sup> Avenue to Marion Street, thence west along the center line of Marion Street to North 5<sup>th</sup> Avenue, thence north along the center line of North 5<sup>th</sup> Avenue to Woodland Street, thence west along the center line of Woodland Street to the point of beginning.

RESOLUTION APPROVING THE APPLICATION TO THE IOWA  
DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING  
CERTIFICATION OF AN ENTERPRISE ZONE IN MARSHALLTOWN, IOWA

WHEREAS the City of Marshalltown (hereinafter referred to as the “City”), State of Iowa, is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the “State”); and

WHEREAS the Iowa Code encourages mutual development between communities and private business and promotes economic investment in enterprise zones within the State; and

WHEREAS, the Iowa Code and administrative rules adopted by the Iowa Department of Economic Development require the City to approve, by resolution, the establishment of an enterprise zone and the submission of a request for certification to the Iowa Department of Economic Board; and

WHEREAS, under the Iowa Code, one of the benefits provided to eligible businesses locating within a certified enterprise zone is a City exemption from taxation of all, or a portion, of the actual value added by improvements to real property that is: 1) directly related to new jobs created by the location or expansion of an eligible business in the zone, and 2) used in the operation of an eligible business within the zone; and

WHEREAS, it is the intention of the City to exempt from local taxation, of all, or a portion, of the assessed real estate value added by improvements to the property, beginning the first year the improvements are assessed for taxation in the enterprise zone.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA AS FOLLOWS:

Section 1. The City certifies that it is an eligible participant under the Iowa Code and meets the following distress criteria required:

- A) The area has a family poverty rate of 12% or higher based on the 2000 Census; and
- B) The area is a blighted area, as defined in Iowa Code Section 403.17 and has been so declared by Council Resolution #2010-031 passed March 8, 2010.

Section 2. The City hereby requests enterprise zone certification from the Iowa Department of Economic Development Board as authorized in the Iowa Code for the following designated sites of 3,135 total acres, which the City certifies is less than 1% of the county area for the purposes of receiving the benefits under the Iowa Code. The legal description of the contiguous enterprise zone areas to be certified is:

## Marshalltown Enterprise Zone Description

Beginning at the center line intersection of North 3<sup>rd</sup> Avenue and Woodland Street, thence south along the centerline of North 3<sup>rd</sup> Avenue to East Lincoln Street, thence west along the center line of East Lincoln Street to North 3<sup>rd</sup> Street, thence south along the center line of North 3<sup>rd</sup> Street to Jerome Street, thence west along the center line of Jerome Street to North 4<sup>th</sup> Street., thence south along the center line of North 4<sup>th</sup> Street to West Linn Street, thence west along the center line of West Linn Street to South 6<sup>th</sup> Street, thence south along the center line of South 6<sup>th</sup> Street to West Nevada Street, thence east along the center line of West Nevada Street to South 5<sup>th</sup> Street, thence south along the center line of South 5<sup>th</sup> Street to West Madison Street, thence east along the center line of West Madison Street to South 3<sup>rd</sup> Avenue, thence south along the center line of South 3<sup>rd</sup> Avenue, thence along South 3<sup>rd</sup> Avenue to Linn Creek, thence east along Linn Creek to East Nevada Street, thence east along the center line of East Nevada Street to South 12<sup>th</sup> Avenue, thence south along the center line of South 12<sup>th</sup> Avenue to East Olive Street, thence east along the center line of East Olive Street to Beer Garden Road, thence north along the center line of Beer Garden Road to the Le Grand and Marion Township line, thence east along the Township line to City of Marshalltown city limits, thence north on the City of Marshalltown city limits to Quarry Road, thence east along the center line of Quarry Road to the City of Marshalltown city limits, thence north along the City of Marshalltown city limits to East Main Street, thence west along the center line of East Main Street to the City of Marshalltown city limits, thence north along the City of Marshalltown city limits to Linn Creek, thence west along Linn Creek to North 18<sup>th</sup> Avenue, thence north along the center line of North 18<sup>th</sup> Avenue to Marion Street, thence west along the center line of Marion Street to North 5<sup>th</sup> Avenue, thence north along the center line of North 5<sup>th</sup> Avenue to Woodland Street, thence west along the center line of Woodland Street to the point of beginning.

A detailed map of the area described above attached to this resolution.

Section 3. The City shall provide a copy of this resolution to the Iowa Department of Economic Development and shall file this resolution with the County Assessor of Marshall County.

Section 4. City staff is hereby authorized to take such actions as deemed necessary in order to carry into effect the provisions of this resolution:

Section 5. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. The provisions of this resolution are hereby declared to be severable and if any section, phrase, or provision shall for any reason be declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases and provisions hereof.

Section 7. This resolution shall become effective immediately upon its passage and approval.

Passed this 8th day of March 2010, and signed this \_\_\_\_\_ day of March 2010.

CITY OF MARSHALLTOWN, IOWA

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Gene L. Beach, Mayor

ATTEST:

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Shari L. Coughenour, CMC, City Clerk

# CITY OF MARSHALLTOWN ENTERPRISE ZONE

