Minutes of February 20, 2019, Regular Meeting  
Board of Directors of  
Downtown Moberly Community Improvement District  
Moberly, Missouri

CID Board of Directors met at 4:00 p.m. in the Moberly City Hall Conference room on Wednesday, February 20, 2019.

The Chair called the meeting to order and asked for roll call. CID Board members answering the roll call were: Brian Crane, Chair; Tom Sanders; Christy Colston; Doug Sharp; and Michael Bugalski. Attendees included: Tom Cunningham – Legal Counsel (by conference call); Diane Richardson, Main Street Moberly; Megan Schmitt and Michelle Greenwell, Moberly Chamber of Commerce; Bob Ehle and Erik Cliburn, local media representatives; Steve Calcagno; Gary Bowman; and Mary Calcagno, Director of Public Utilities.

The Chair then asked for approval of the Agenda. A motion was made by Mr. Bugalski to approve the Agenda. Mr. Sharp seconded the motion. Ayes: Crane, Colston, Sanders, Bugalski and Sharp; Nays: None. Agenda approved.

HEARING FROM CITIZENS:

The Chair asked if there were communications or comments received. There were none.

OLD BUSINESS:

The Chair called for approval of the minutes of the January 23, 2019 regular meeting. A motion was made by Mr. Sanders to approve the minutes. Ms. Colston seconded the motion. Ayes: Crane, Sanders, Colston, Bugalski and Sharp; Nays: None. Minutes approved.

NEW BUSINESS:

The Chair called for consideration of Resolution No. 2019-02: A RESOLUTION DIRECTING REIMBURSEMENT IN ACCORDANCE WITH A MASTER DEVELOPMENT AGREEMENT; AND PROVIDING FURTHER AUTHORITY. The Resolution originally called for reimbursement from the District’s account for the CID Special Property Tax of the City of Moberly for expenditures on paid invoices from Cunningham, Vogel & Rost, P.C. totaling $219.50, and, following discussion was corrected to add the sum of $1,103.00 for reimbursements for expenditures on paid invoices from Bartlett & West. A motion was made by Mr. Sharp, seconded by Mr. Bugalski to approve the corrected Resolution 2019-02. Ayes: Crane, Sanders, Bugalski, Colston and Sharp; Nays: None. Corrected Resolution 2019-02 adopted. After further discussion and investigation, however, a motion was made to amend Resolution No. 2019-02 as previously approved to correct amounts and account allocations therein; the amendment called for the $219.50 reimbursement amount to be made from the District’s account for CID Sales Tax, and for additional amounts from Bartlett & West paid invoices totaling $5,862.69 to be made to the District’s account for CID Special Property Tax, a total of $6082.19. A motion was made by Mr. Sanders, seconded by Ms. Colston to repeal the corrected Resolution 2019-02 and to approve the substitution therefor of an amended Resolution 2019-02. Ayes: Crane, Sanders, Bugalski, Colston and Sharp; Nays: None. Resolution 2019-02, as amended, adopted.

Items for Discussion:

Economic Development Program was discussed. Michael Bugalski, acting for the MAEDC as administrator of the PPI program, asked the Board if there was any response to the prior dissemination of a revised draft PPI letter. After brief discussion, the Board approved the revised PPI document.
At this time the Chair made note that the office of Vice Chair was vacant following the resignation of Corey Mehaffy. Legal Counsel informed the Board that section 4.4 of the Bylaws provided that a vacancy in any office for any reason may be filled by the Board at any meeting for the unexpired portion of the term of such officer. Following discussion, Michael Bugalski was appointed by acclamation to serve as Vice Chair for the unexpired portion of Mr. Mehaffy’s original term.

The Chair then recused himself from the meeting, turning the meeting over to the Vice Chair.

Next item for discussion was PPI Grant Recipient Ownership Change: The Vice Chair reported that the property at 537 W. Reed Street which was the subject of a PPI award had been recently sold, that Brian Crane was the new owner and had expressed a willingness to follow through with the improvements to be made under the PPI award, and that Mr. Crane had made application and formal request that the award be transferred accordingly. The Vice Chair observed that the objective of the PPI program was to rehabilitate dilapidated downtown properties, regardless of ownership. The Vice Chair also indicated that a review of PPI guidelines suggested that such awards should run with the property, notwithstanding a subsequent change in ownership, so long as the originally approved scope of work and conditions of the award remained unchanged. After brief discussion, the Board concurred with this recommendation. Legal Counsel, referencing Missouri Ethics Commission Opinion No. 1998-04-106, also noted that, consistent with MEC guidance, members of the CID Board who were also owners of downtown property should not be precluded from making application for and receiving PPI awards so long as the affected members recused themselves from participation in, that is, discussing, voting or in any way trying to influence, the decision of the awarding body. Mr. Cunningham noted for the record that Mr. Crane had left the room for the duration of the discussions and had not and would not participate in the Board’s decision on this matter in any way. Following brief discussion the Board agreed unanimously to the request for transfer of the PPI award for 537 W. Reed Street to Brian Crane as new owner of the property, subject to applicable PPI program requirements. Mr. Sharp asked that a copy of Missouri Ethics Commission Opinion No. 1998-04-106 be provided and made a part of the Board’s records.

Following a brief recess, Mr. Crane returned and assumed the Chair.

Next item for discussion was Financial Statement Review. The Chair made reference to the documents showing two segregated accounts, one for the CID Sales Tax receipts and expenditures and one for the CID Special Property Tax receipts and expenditures. The Chair noted that the statements would be further revised to comport with guidance from Legal Counsel and that Greg Hodge would be working together with Mr. Cunningham to review and finalize these accounts.

Next item for discussion was the CID Social Media Calendar. Megan Schmitt, acting for the Chamber of Commerce as administrator of the CID Marketing Program, presented a calendar showing prior and scheduled future CID posts for Facebook. Ms. Schmitt noted that each month’s post will incorporate a post from local realtors. Ms. Schmitt also reported that the logo and new website will be completed soon and launched. The Board thanked Ms. Schmitt and the Chamber for their efforts.

Next item for discussion was Abating Dangerous Buildings. The Chair observed that there are several properties within the CID boundaries that are in a state of deterioration and may become nuisances, dangerous to public health and safety. The Chair noted that some of the most egregious examples are not taking advantage of the incentive programs the CID has to offer. At the same time, demolition of such structures would be detrimental to the downtown economy but Moberly Code Enforcement lacks the resources and funds to simply secure these buildings. Further discussion centered the authority of the CID to assist with the securing of such buildings. Legal Counsel stated that clear authority existed in the CID Act for the CID to assist the City and noted that, under a cooperation agreement with the City, the CID
could advance funds to secure certain dangerous buildings with future reimbursement of such funds made at the time of satisfaction of City-imposed liens. These efforts could be undertaken in coordination with the PPI Program. The Chair volunteered to develop for Board consideration a budget number for next year to assist the City in dealing with dangerous and nuisance properties downtown.

The last item of discussion was Downtown Planters. Diane Richardson reported that Main Street Moberly has made contact with a company called Earth Planters and they are willing to send sample of the planters. Tom Sanders is working on a map showing the locations on Coates Street where street trees have been removed. The Chair observed that it would be a good practice to keep the streets uniform; Tom Sanders with the help of Doug Sharp and Adam Flock will also review Reed Street and Coates Street tree locations and vacant spots and will present a pattern for the downtown at the next regular Board meeting.

ADDITIONAL MATTERS:  None.

A motion was made by Mr. Sharp and seconded by Mr. Sanders to adjourn the meeting.  
Ayes:  Crane, Sanders, Bugalski, Colston and Sharp;  Nays:  None.  Meeting was adjourned at 5:00 pm.

Respectfully Submitted:  Shirley Olney, Assistant Secretary  
February 20, 2019