

Minutes of May 18, 2022, Regular Meeting
Board of Directors of
Downtown Moberly Community Improvement District
Moberly, Missouri

The Board of Directors (the "Board") met at 3:00 p.m. in the Moberly City Hall Conference Room at 101 West Reed Street, Moberly, Missouri, on Wednesday, May 18, 2022.

Brian Crane, Chair, presiding, called the meeting to order at 3:00 PM and asked for roll call. Board Members answering the roll call were: Brian Crane, Kelsie Jeffries, Tom Sanders. Absent: Doug Sharp and Michael Bugalski. Others present included: Tim Brubaker, City Council liaison; Tom Cunningham, Legal Counsel (via Zoom); Megan Schmidt, Moberly Area Chamber of Commerce; Randy Asbury, Moberly Area Economic Development Corporation.

The Chair first asked for approval of the Agenda. The Chair suggested that the Agenda be amended to add a discussion item "(d)," "Fennel Update." A motion was made by Mr. Sanders to approve an amendment to the Agenda adding discussion item (d) "Fennel Update". Ms. Jeffries seconded the motion. Ayes: Crane, Jeffries, Sanders. Nays: None. Amended Agenda approved.

HEARING FROM CITIZENS:

The Chair next asked if there were any written communications or comments received or if any person present wished to address the Board. There were no communications or requests.

OLD BUSINESS:

Under Old Business, the Chair called for approval the Regular Meeting minutes together with the Closed Session minutes of April 20, 2022. A motion was made by Mr. Sanders to approve the April 20 Regular Meeting and Closed minutes. Ms. Jeffries seconded the motion. Ayes: Crane, Jeffries, Sanders. Nays: None. April Minutes approved.

NEW BUSINESS:

Under New Business, the Chair first called for consideration of Resolution No. 2022-14: **A RESOLUTION APPROVING A TENTH ROUND OF GRANT AWARDS UNDER THE DISTRICT'S PRIVATE PROPERTY IMPROVEMENTS PROGRAM; AND PROVIDING FURTHER AUTHORITY.** In the absence of Mr. Bugalski, the Chair called on Mr. Asbury for a report. Mr. Asbury noted a single application for property at 500 West Reed Street had been received for PPI Program Round 10 and was recommended by the reviewing committee for approval. After a brief discussion, a motion was made by Mr. Sanders to approve Resolution No. 2022-14. Ms. Jeffries seconded the motion. Ayes: Crane, Jeffries, Sanders. Nays: None. Resolution No. 2022-14 adopted.

The Chair then called for consideration of Resolution No. 2022-15: **A RESOLUTION APPROVING A LEASING ASSISTANCE AGREEMENTS UNDER THE DISTRICT'S LEASING ASSISTANCE PROGRAM; AND PROVIDING FURTHER AUTHORITY.** The Chair reminded the Board that Wild Blooms, LLC, the business to receive the proposed leasing assistance and the proposed terms of the assistance had been discussed at the April 20th Regular Meeting. After a brief discussion, a motion was made by Ms. Jeffries to approve Resolution No. 2022-15. Mr. Sanders seconded the motion. Ayes: Crane, Jeffries, Sanders. Nays: None. Resolution No. 2022-15 adopted.

At approximately 3:20 PM Doug Sharp joined the meeting via Zoom.

The Chair next called for consideration of Resolution No. 2022-16: **A RESOLUTION APPROVING AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE OPERATION OF A FARMERS MARKET AT THE FENNEL COMPLEX; APPROPRIATING CERTAIN SUMS; AND PROVIDING FURTHER AUTHORITY.** The Chair stated that the resolution authorized entering into an agreement with Randolph County Health Department which would undertake and operate seasonal farmers' market events. Under this agreement, the City would waive customary rentals for the event space and the District would provide one time assistance for promotional expenses. Following brief discussion, a motion was made by Mr. Sharp to approve Resolution No. 2022-16. Ms. Jeffries seconded the motion. Ayes: Sharp, Crane, Jeffries, Sanders. Nays: None. Resolution No. 2022-16 adopted.

The Chair then called for consideration of Resolution No. 2022-17: **A RESOLUTION APPROVING A PROMOTIONAL SERVICES AGREEMENT; APPROPRIATING CERTAIN SUMS; AND PROVIDING FURTHER AUTHORITY.** The Chair stated that the resolution authorized entering into a Promotional Services Agreement with Moberly Chamber of Commerce to consolidate various services for downtown Moberly. The agreement mandates development of an annual marketing budget and program to be submitted for approval at the beginning of each calendar year. This agreement also provides for progress reports at least quarterly. The Chair also noted that the agreement subsumes and supersedes the prior Administrative Services Agreement, although the existing Tourism Promotion Services Agreement and associated obligations will remain in place subject to general provisions of the Promotional Services Agreement. After discussion, a motion was made by Ms. Jeffries to approve Resolution No. 2022-17. Mr. Sanders seconded the motion. Ayes: Sharp, Crane, Jeffries, Sanders. Nays: None. Resolution No. 2022-17 adopted.

The Chair then called for consideration of Resolution No. 2022-18: **A RESOLUTION APPROVING AN ANNUAL BUDGET FOR THE DISTRICT'S FISCAL YEAR 2022-23; APPROPRIATING FUNDS PURSUANT THERETO; AUTHORIZING PREPARATION OF AN ANNUAL REPORT FOR FISCAL YEAR 2022-23; AND PROVIDING FURTHER AUTHORITY.** The Chair reported that Mr. Greg Hodge, City of Moberly Finance Director had prepared a budget for the District's Fiscal Year 2022-23 for review which was presented preliminarily at the last meeting. In response to a question by Mr. Cunningham regarding whether the proposed budget had previously been submitted for Moberly City Council review and comment in accordance with the CID Act, the Chair noted that the budget had been submitted and that no comments or recommendations from the Council had been received. After brief discussion, a motion was made by Mr. Sanders to approve Resolution No. 2022-18. Mr. Sharp seconded the motion. Ayes: Sharp, Jeffries, Crane, and Sanders. Nays: None. Resolution No. 2022-18 adopted.

The Chair then called for consideration of Resolution No. 2022-19: **A RESOLUTION APPROVING A REIMBURSEMENT TO THE CITY OF MOBERLY FOR PAYMENTS MADE IN CONNECTION WITH A COOPERATIVE FUNDING AGREEMENT FOR THE FENNEL COMPLEX; MAKING CERTAIN FINDINGS; AND PROVIDING FURTHER AUTHORITY.** The Chair stated that the resolution authorized reimbursement of various payments including those to Westlake Ace Hardware, Moberly Lumber, and R. P. Lumber as part of a previously approved program of improvements to the Fennel Complex. After a brief discussion, a motion was made by Mr. Sanders to approve Resolution No. 2022-19. Ms. Jeffries seconded the motion. Aye: Sharp, Sanders, Crane and Jeffries. Nays: None. Resolution No. 2022-19 adopted.

The Chair then called for consideration of Resolution No. 2022-20: **A RESOLUTION ACCEPTING, PROVISIONALLY, A PROPOSAL TO PROVIDE WAYFINDING SIGNAGE DESIGN SERVICES; APPROVING A COOPERATIVE FUNDING AGREEMENT FOR WAYFINDING SIGNAGE; APPROPRIATING CERTAIN SUMS;**

AND PROVIDING FURTHER AUTHORITY. The Chair stated the resolution approves subject to City of Moberly approval of a joint Funding Agreement a revised proposal submitted by Arcturis. A graphic design firm, for development and design of decorative vehicular and pedestrian wayfinding signs to guide travelers and build awareness to key public destinations and point of interest within the District. This proposal also includes wayfinding and directional signage beyond the limits of the District to include cohesive design standards reflective of the respective brand and graphic identification system of the City and its Parks and Recreation Department. The Chair noted that the proposal and associated fee amount did *not* include installation costs. The resolution also approves a joint Funding Agreement with the City through which the City would cover costs for signage to be located beyond the District boundaries. After further discussion, a motion was made by Mr. Sanders to approve Resolution No. 2022-20. Ms. Jeffries seconded the motion. Aye: Sharp, Sanders, Crane and Jeffries. Nays: None. Resolution No. 2022-20 adopted.

ITEMS FOR DISCUSSION:

The first item for discussion under the Amended Agenda was “Proposed Rent Buy Down Application/PPI Applications” (**Discussion Item “a”**). Reporting for Mr. Bugalski as Program Administrator Mr. Asbury observed that recently certain not-for-profit entities have expressed interest in the District’s Leasing Assistance program. Mr. Asbury indicated that the Program Administrator would like to review the procedures for the Leasing Assistance program to limit availability to for-profit organizations generating sales and tourism taxes. He observed that such assistance was originally intended to incentivize business entities which would provide some tangible benefit to the District. If not-for-profit entities are to be considered for Leasing Assistance, Mr. Asbury expressed the preference that because no tax revenues would result, such entities should be required to make some physical improvement to the leased space in conjunction with the Leasing Assistance. After a discussion, Board consensus was that Legal Counsel would prepare new policy language for the Leasing Assistance program to clarify eligibility requirements for non-for-profit entities.

Mr. Asbury then reported that RG Mongler Investments, LLC plans to make repairs to the sidewalk and the roof of the premises at 210 North Williams Street, spending approximately \$21,750.00. Mongler has made application under the PPI program for a \$10,000.00 reimbursement. Mr. Asbury also reported that Rent Your Schmitt, LLC plans to make repairs to the front door of the premises at 214 North 4th Street, spending approximately \$3,500.00. Schmitt has made application for a \$1,750.00 PPI reimbursement. Mr. Asbury noted that both applications will be considered under an Eleventh Round of the PPI Program and the requests are consistent with program guidelines. After brief discussion the Board directed Legal Counsel to prepare an applicable approving resolution for the PPI applications.

The next item for discussion was “Discussion of Rent Buy Down Program” (**Discussion Item “b”**). The Chair noted that this discussion item was handled as part of Discussion item “a” of the Amended Agenda.

The next item of discussion was “Review of Railroad Days Sponsorship Form” (**Discussion Item “c”**). The Chair reported that Moberly Rotary Club had presented a sponsorship letter for the Railroad Days Event. The Chair recommended that the District provide a \$1,000 contribution to the Moberly Rotary Club for this event. After brief discussion, Legal Counsel was directed to prepare a resolution for the next meeting ratifying a contribution payment of \$1,000.00.

The last item of discussion was “Fennel Update” (**Discussion Item “d”**). Mr. Sanders noted that the grade and drainage of the grass area at the Fennel Complex is problematic exhibiting uneven surfaces

and ponding water from the edge of the existing concrete to the asphalt. Mr. Sanders would like to repair the grass area and lay new sod at an approximate cost of \$7,500. Mr. Sanders noted that the concrete area would also need to be extended to allow food truck parking. Mr. Sanders presented two options: Option 1 would be a 35'x24' pad on the west for additional food truck parking at a cost of \$5,073; Option 2 would be a 92'x30' half circle pad for additional food truck parking at a cost of \$10,645. Finally, Mr. Sanders noted if the foregoing improvements are made, that the fence would need to be expanded. Mr. Sanders again presented two options: Option 1 to extend the fence to the north and along the back side of the parking area, 95' of additional fence at a cost of \$12,450; Option 2 would extend the fence to include the entire grass area at a cost of \$27,260.48. Mr. Sander also proposed inclusion of a sound system at a cost of \$4,553.

After some discussion, the Board elected to expand the improvements program for the Fennel Complex as follows:

- Add Grading & Sod at a cost of \$7,500;
- Extend the fence around all grass area at a cost of \$27,260;
- Install a west pad at a cost of \$5,073 ;
- Install an arch pad at a cost of \$10,645; and
- Purchase and install sound equipment at a total cost of \$4,553.

Legal counsel was directed to prepare applicable amendments to the Cooperative Funding Agreement for the Fennel Complex along with an approving resolution for consideration at the Board's June meeting.

ADDITIONAL MATTERS:

Noting that all items specified on the Amended Agenda had been addressed, the Chair asked if there were any additional matters for discussion in Open Session.

Hearing none, the Chair then asked for a motion to adjourn to Closed Session. A motion was made by Mr. Sanders and seconded by Ms. Jeffries to adjourn the meeting and to go into closed session to discuss legal matters as provided in Sections 610.021 (1) of the Missouri Revised Statutes, as amended. The results of a roll call vote on the motion were: Ayes: Sanders, Sharp, Crane, Jeffries. Nays: None. The Chair stated that upon completion of the items in Closed Session, the Board would return to Open Session only to adjourn the Regular Meeting.

Following the Closed Session, the Board reconvened in Open Session at approximately 4:27 PM.

The Chair again asked if there were any further matters or concerns to be brought before the Board. Hearing none, the Chair then asked for a motion to adjourn. A motion was made by Mr. Sanders and seconded by Ms. Jeffries to adjourn. Ayes: Jeffries, Sanders, Sharp and Crane. Nays: None. The meeting was adjourned at approximately 4:28 p.m.

The next regular meeting of the Board of Directors will be held on Wednesday, June 15, 2022, at 3:00 p.m. in the Moberly City Hall Conference Room.

Respectfully submitted:
Shirley Olney for Doug Sharp, Secretary