

**DECEMBER 4, 2013
MINUTES OF THE
TAX INCREMENT FINANCING COMMISSION MEETING
CITY HALL ANNEX, 520 MAIN STREET
BELTON, MISSOURI**

Chairman Fred Hastie called the meeting to order at 7:00 p.m.

ELECTION OF OFFICERS:

A RESOLUTION OF THE TAX INCREMENT FINANCING COMMISSION OF BELTON, MISSOURI, AND ELECTING OFFICERS OF THE COMMISSION was introduced by Councilman Justin Neff and seconded by Jerry Miller, School Board Representative.

Chairman Fred Hastie asked for additional nominations other than those stated in the resolution for Chairman, Vice Chairman, Secretary and Assistant Secretary. No other nominations were received. Jimmy Odom nominated Ed Maurer as Treasurer and was seconded by Commissioner Neff. All nominations ceased. All members present voted Aye. Resolution No. 12-4-13-1 was approved.

Fred Hastie, Chairman
Ron Brannon, Vice-Chairman
Ed Maurer, Treasurer
Dot Watkins, Secretary
Brad Foster, Assistant Secretary

Chairman Hastie introduced staff members present: Mayor Jeff Davis; City Manager, Ron Trivitt; Assistant City Manager, Brad Foster; Deputy City Clerk, Dot Watkins; Attorney, Rich Wood; Belton School District Superintendent, Dr. Andrew Underwood; County Commissioner, Jimmy Odom; Community Planning and Economic Development director, Jay Leipzig; Public Works Director, Jeff Fisher; Councilmen Jeff Fletcher, Scott Von Behren and Gary Lathrop. He also introduced the newest members of the TIF Commission, Councilman Justin Neff and Ed Maurer.

When roll call was taken, Belton Tax Increment Financing (TIF) Commission Members present: Chairman Fred Hastie, Commissioners: Ron Branan, Ed Maurer, Pete Peterson, and Councilman Justin Neff.

Members present from the Belton School District: Jerry Miller and Linda Wilckens.

Members present from Cass County: Jimmy Odom

Staff members present: Brad Foster, Assistant City Manager; Rich Wood, TIF Attorney representing the City of Belton; and Dot Watkins, secretary. A quorum was present.

Jerry Miller moved to approve the agenda as presented, seconded by Commissioner Neff. All members present voted Aye. Motion carried.

Jimmy Odom moved to approve the minutes of the February 15, 2012 TIF Commission Meeting, seconded by Jerry Miller. All members present voted Aye. Motion carried.

Chairman Hastie called the public hearing to order. This hearing is being held to hear all protests, objections, comments, and other evidence to consider the First Amendment to the Y Belton Plaza Tax Increment Financing (TIF) Plan.

For the record, roll call was taken of all the taxing jurisdictions.

Belton TIF Commission members present: Chairman Fred Hastie, Commissioners: Ron Branan, Ed Maurer, Pete Peterson and Councilman Justin Neff.

Members present from the Belton School District: Jerry Miller and Linda Wilckens.

Members present from Cass County: Jimmy Odom.

Developer Presentation:

Charles Renner with Husch Blackwell, 4801 Main Street, Kansas City, MO. spoke representing the developer, Y Belton LLC, the principles are David Block and D.J. Christie. He gave a history of the original plan:

- Original plan was approved in September 2007
- Redevelopment Area consists of approximately 43 acres of land generally located at the northwest intersection of US Highway 71 and Missouri Highway Y in the City of Belton, Missouri.
- Plan features two Redevelopment Projects.
- Plan currently calls for an approximately 98,933 square foot multi-tenant retail center and six pad site buildings within Project 1.
- Plan currently calls for an approximately 134,900 square foot big box national warehouse membership club retail facility and four pad site buildings within Project 2.
- Due to changes in market conditions, problems in site layout and the number of public improvements, an amendment to these projects is required.

Proposed Redevelopment Project 1

- 58,475 sq. ft. anchor retail box
- 33,522 sq. ft. junior box anchor building
- 7,200 sq. ft. multi-tenant building
- 7,200 sq. ft. restaurant
- 80,000 sq. ft. hotel
- Public Improvements
 - Markey Parkway, Quick Trip Way, Turner Road

Proposed Redevelopment Project 2

- 106,350 sq. ft. of retail space
- Four restaurants: 25,500 total sq. ft. of restaurant space
- Public Improvements
 - Markey Parkway, Quick Trip Way, Turner Road

Estimated project schedule

Project 1

- Anchor Retail Box – December 2014
- Restaurant – December 2014
- Multi-Tenant Building – December 2014
- Junior Box – June 2015
- Hotel – June 2015

Project 2

- Retail – May 2016
- Three Restaurants – June 2015
- One Restaurant – December 2015

Financing Plan

- Total Project Costs: \$70,572,259
 - Private: \$56,572,259
 - TIF/TDD/CID: \$14,000,000

David Christie, 9400 Reeds Road, Overland Park, Kansas, gave an explanation of the proposed redevelopment project. He has owned the property since 2002. Academy Sports is the proposed company to begin building on the site. Academy Sports plans to build six (6) stores in the metro area; two (2) stores have been built already. They have chosen Belton as one of their preferred locations. It will be approximately a 59,000 square foot retail store and will be a great asset to the community and Cass County. They will be submitting building plans in two weeks. There are proposed two (2) additional pad users on the corner, the plan is to have a retail building on one and a restaurant on the other one and we are working with a Jr. box store which will be 50,000 square feet. The total project is over \$70,000,000 and we are advancing the money to build Markey Road. The Planning Commission has approved the plan and it does correspond with the city's Master Plan.

There was discussion of the time for paying off the TIF, how long this would extend the sales tax for the CID (Community Improvement District) and if it falls within the city policy. This TIF plan can run up to 23 years. The TDD (Transportation Development District) is scheduled to 2029. The CID structure will only kick in at the termination of the TDD in 2029 until the TIF plan itself expires. It is a mechanism to maintain that additional 1% sales tax that the TDD has generated till the end of the life of the TIF.

A CID will be formed for two primary reasons. The first is to impose a special assessment tax bill that will be imposed on all of the improvements in this site. This new revenue will then be used to help pay the TIF reimbursable expenses. The CID will also impose a 1% sales tax when the Belton Towne Center TDD 1% sales tax expires in 2029. The Y Belton Plaza site is part of the Belton Towne Center TDD district which also includes the Home Depot, Target and Kohl's area. The TDD revenue generated will pay for road improvements associated with the extension of Markey Parkway and the eventual closing of QuikTrip Way adjacent to this site.

The total project development cost is \$70,572,259. The amount of TIF assistance in this application to the extent possible is \$10,000,000 which represents 14.17% of the total projects costs which is within the City's TIF policy of 15%.

There was discussion of the Y Highway Marketplace TIF that is still not adding additional retail space and the commitment of this developer to do these projects.

Mr. Renner said the structure is the motivator. There is a significant amount of public improvement costs that are required to do this first phase. The structure is that the developer will bear the burden of financing the costs and TIF is going to help if the project gets developed.

Mr. Christie responded saying when the road is built and Academy Sports is in, more retail will follow. We wouldn't be advancing 13 million dollars for public improvements if we didn't think we would be paid back. He added they are confident in their marketing experience to make this happen.

Brad Foster, Assistant City Manager, gave the staff report. It is attached and made part of these minutes. Mr. Foster noted for the record that all the necessary notices have been mailed and/or published in the Cass County Democrat Missouriian on November 8, 2013 and November 29, 2013; public notices went out by certified mail on October 18, 2013 to all the taxing bodies; public notices went out by certified mail to all property owners on November 22, 2013. These exhibits were entered into the record.

Mr. Foster said the following changes in the Resolution were made in Section 3, G, (i) through (viii) which is being presented tonight for approval:

G. Negotiate and enter into a contract with the Developer for implementation of the Amendment, which shall contain, at a minimum, the following requirements:

(i) Markey Parkway shall be constructed of concrete with an appropriate aggregate material as stipulated in the City of Belton Design and Construction Manual. Quik Trip Way will not be closed until Markey Parkway is completed as depicted on the site plan. As an alternative, two lanes of permanent concrete roadway will be installed from 163rd Street to the end of Markey Road as currently constructed on the north side of Masters Transportation prior to the closure of Quik Trip Way. As a third alternative, Quik Trip Way will not be closed until an all-weather driving surface of temporary asphalt is provided that will adequately provide access from Quik Trip Way to Y highway so that two (2) lanes of traffic are maintained at all times during construction. Any of the alternatives must include continuous access of Markey Parkway from its northern terminus of 163rd Street and all utility structures must be installed prior to the installation of concrete.

(ii) Roadway construction shall commence on or before December 20, 2013, and shall be completed no later than May 15, 2013;

(iii) *A traffic mitigation plan shall be submitted and approved by the City Engineer to provide traffic calming at North Scott and Locust Hill Road. All roadway alteration costs and the placement of limiting devices will be paid for by the Developer;*

(iv) *Access to the Crossroads United Methodist church property shall be maintained during the construction of Markey Parkway as previously agreed to between Christie development and the church; and temporary access to the Church shall be maintained at all times by the developer;*

(v) *The Markey Parkway roadway material and construction shall be designed in accordance with City standards at the direction and oversight of the City's Public Works Department for both temporary and permanent installations;*

(vi) *The City of Belton will vacate the portion of Quik Trip Way fronting Master's Transportation;*

(vii) *To the extent possible, the maximum Reimbursable Project Costs from TIF eligible budget line items, as shown in Exhibit 3 to the Amendment, will be \$10,000,000;*

(viii) *In lieu of providing on-site detention within the Redevelopment Area, the Developer will pay an impact fee of approximately \$3,560 per acre into the Markey Regional Detention Fund which will be used to finance a regional detention facility which serves the Redevelopment Area;*

Being no further public input, Commissioner Peterson moved to close the public hearing. It was seconded by Jimmy Odom. When a vote was cast all members present voted aye. The public hearing was closed.

RESOLUTION NO. 12-4-13-2: A RESOLUTION OF THE TAX INCREMENT FINANCING COMMISSION OF THE CITY OF BELTON, MISSOURI, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE FIRST AMENDED AND RESTATED Y-BELTON TAX INCREMENT FINANCING PLAN, DESIGNATE Y BELTON, L.L.C. AS THE DEVELOPER FOR THE PLAN, AND TAKE RELATED ACTIONS TO IMPLEMENT THE PLAN.

Presented by Jimmy Odom, seconded by Commissioner Branan. All members present voted Aye except Commissioner Maurer who abstained. Resolution passed.

OTHER BUSINESS:

Mr. Foster gave an update on the existing TIF plans. There are six (6) approved TIF plans, three (3) are active and three (3) are still waiting for development.

- Town Center TIF, it is performing more than adequately to generate enough TIF revenue to pay the debt service on that development.
- Belton Marketplace TIF, it also is sufficient to pay the debt service on that development.

- Y Highway Marketplace TIF, Crossroads of Belton, this is the newest project. An Arvest Bank will be built next year and they are in the process of marketing for more businesses.
- Southtown Plaza TIF, is Menards and is planning to open by Spring of 2015.
- Boardwalk at Belton TIF, is in litigation right now. No development at this time.
- Y Belton Plaza TIF, beginning development upon approval of the City Council of the amended plan presented tonight.

Commissioners raised questions about the Y Highway Marketplace TIF and the City Council's decision to allow a bank to be part of the development. The city policy states retail and service commercial projects should be limited to those projects that encourage an inflow of customers from outside the City or will provide services or fill retail markets that are currently unavailable or in short supply in the City. The Commission expressed their concern about the change in use allowed and that it did not come back before the TIF Commission to review and make a recommendation. They requested the City Council discuss a change in this policy.

Jimmy Odom moved to adjourn at 8:30 p.m. Seconded by Jerry Miller. All members present voted aye. Meeting adjourned.

Dot Watkins, Deputy City Clerk
TIF Commission Secretary