AGENDA
CITY OF HARRISONVILLE
TIF COMMISSION
PUBLIC HEARING
CITY HALL
OCTOBER 23, 2017
5:00 PM

I. Call to Order

1. Roll Call

II. The Harrisonville Tax Increment Financing Commission will be holding a Public Hearing on October 23, 2017, at 5 PM. The Public Hearing will be held at the Harrisonville City Hall, located at 300 E. Pearl St., Harrisonville, Missouri. The purpose of this Public Hearing will be to review the progress of existing Tax Increment Financing projects, according to the proposed timeline within the approved plans for project completion. Existing Tax Increment Financing projects to be reviewed are the Harrisonville Market Place Tax Increment Financing project and the Harrisonville Towne Center Tax Increment Financing project. The public is invited to attend this Public Hearing.

A. Election of Officers

B. Continued Public Hearing

III. Adjourn

Publish

City of Harrisonville est. 1836

STAFF REPORT

TO: **TIF Commission**

FROM: **Randy Jones, City Clerk**

DATE: **October 18, 2017**

SUBJECT: **Continued Public Hearing 2017**

Type of Item: *Discussion*

1. Discussion Item (ID # 2675)

TIF PACKET

Attachments:

TIF PACKET 2017 (PDF)

City of Harrisonville est. 1836

MEMORANDUM

TO TIF Commission

FROM Happy Welch, City Administrator
Jim Clarke, Community/Economic Development Director
Marcella McCoy, Finance Director

DATE October 17, 2017

SUBJECT TIF Progress Report

Type of Item: Public Hearing

Issue:

Review progress of two TIF projects:
Harrisonville Towne Center
Harrisonville Market Place

Background:

Two TIF Projects were approved by the Board of Aldermen, the first being Towne Center in 2005 followed by Market Place in 2007. Towne Center is most commonly known by its anchor tenant Sutherland's, and the Market Place development is host to Price Chopper. Towne Center is approximately 22 acres with 4 acres undeveloped while Market Place is almost 10 acres on the west side of the railroad tracks (all undeveloped) and 18 acres on the east side with 5 acres undeveloped.

The state mandates that progress be tracked in the TIF's every 5 years to see if they are following their development plan. This is a public hearing meeting with the city presenting the TIF development schedules as adopted and updating the commission on the current status of the projects.

Towne Center's development plan for Redevelopment Project I (Towne Center TIF Exhibit 1B) was to have been completed by February 1, 2008.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Market Place's development schedule changed with the amended agreement with both sides scheduled to complete construction in October 2010 (Market Place TIF Exhibits A&B). The start date changed from 2008 to 2007 for the east side while the west side was to start in 2009 instead of 2007. Both sides of the development were anticipated to have tenants by October of 2010.

Market Place development TIF notes are paid through the payments in lieu of taxes (PILOTS) and the Economic Activity Taxes (EATS), as well as Transportation Development District (TDD) taxes.

Towne Center TIF bonds are paid through the PILOTS and EATS as well as from funds appropriated by the Board of Aldermen to offset the difference between the amount owed and funds accumulated.

Current Status

West Star Development owner of the Market Place development has requested and been granted approval by the Board of Aldermen to build 60,000 square feet of climate controlled storage space on lot 3 (the southwest corner) of the development, 10,000 square feet in the rear, and add a fast food restaurant on lot 4. They also stated they are working to bring retail to lot 6 along Commercial Street and an adjacent lot purchased outside of the TIF.

Towne Center has no development in the planning stages at this time.

TIF Commission Action:

It is a public hearing and status report. We will pass along information from the meeting to the Board of Aldermen.

Staff Recommendation:

The City is proceeding as mandated by the State Audit to do a 5 year progress report on the two TIF projects we currently have. The Board of Aldermen will also conduct a public hearing, receive a progress report, and pass along information collected at this public hearing.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Tax Increment Financing Commission

Responsibilities

99.865. Report by municipalities, contents, publication — satisfactory progress of project, procedure to determine — reports by department of revenue required, when, contents, publication on accountability portal — rulemaking authority — department to provide manual, contents — penalty for failure to comply.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

Source: Missouri Revised State Statutes

Responsibilities of the Governing Body of the Municipality and the Local TIF Commission

Missouri's TIF (Tax Increment Financing) Act defines a "Municipality" as an incorporated city, town, village or county. The governing body of your municipality is required to establish a TIF (Tax Increment Financing) Commission, composed of certain members including representatives of other local taxing authorities within the redevelopment project area as defined by state statute. The municipality is also responsible for the approval of ordinances (or resolutions if a county) that establish a comprehensive Redevelopment Plan, and for approval of the specific TIF (Tax Increment Financing) Redevelopment Project. Responsibilities of the TIF Commission are many, and may include working with the local government in creating the Redevelopment Plan and TIF Redevelopment Project parameters, holding required public hearings, preparing economic impact reports and revenue projections, blight studies and other documents to justify the need for TIF and as required by state statutes governing Local TIF projects.

Source: Missouri Department of Revenue

TAX INCREMENT FINANCING

REDEVELOPMENT AGREEMENT

BETWEEN

THE CITY OF HARRISONVILLE, MISSOURI

AND

SIMMONS INVESTMENTS, INC.

FOR THE

HARRISONVILLE MARKET PLACE

TAX INCREMENT FINANCING PLAN

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF HARRISONVILLE, MISSOURI

ATTEST:

Kim Hubbard
Deputy City Clerk

By: _____
Mayor

APPROVED AS TO FORM:

_____
City Special Legal Counsel

SIMMONS INVESTMENTS, INC., a Kansas Corporation

ATTEST:

Kim Hubbard

By: _____

Its: President

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

BE IT REMEMBERED, that on this 16th day of April, 2007, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Kevin Wood, the Mayor of the City of Harrisonville, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who are personally known to me to be the same persons who executed, as such officials, the within instrument on behalf of and with the authority of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

April L. Wiskur
NOTARY PUBLIC

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI
APRIL L. WISKUR
My Commission Expires
November 7, 2010
Cass County
Commission #06475156

My Commission Expires:

November 7, 2010

[SEAL]

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI
APRIL L. WISKUR
My Commission Expires
November 7, 2010
Cass County
Commission #06475156

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

EXHIBIT D

Development Schedule – The Redevelopment Project

Begin Construction Redevelopment Project (East Side)	3rd Quarter 2007
End Construction Redevelopment Project (East Side)	3rd Quarter 2008
Project East Side Saturates	4th Quarter 2010
Begin Construction Redevelopment Project (West Side)	3rd Quarter 2007
End Construction Redevelopment Project (West Side)	4th Quarter 2010
Project West Side Saturates	4th Quarter 2010

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

FIRST AMENDED AND RESTATED

TAX INCREMENT FINANCING

REDEVELOPMENT AGREEMENT

BETWEEN

THE CITY OF HARRISONVILLE, MISSOURI

AND

HARRISONVILLE MP, LLC

FOR THE

HARRISONVILLE MARKET PLACE

TAX INCREMENT FINANCING PLAN

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Agreement are for the sole and exclusive benefit of the Developer and no other person or party will have the right to rely thereon.

44. Time and Performance are of the Essence. Time and specific performance are of the essence of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF HARRISONVILLE, MISSOURI

ATTEST:

City Clerk

By: Kevin Wood, Mayor

APPROVED AS TO FORM:

City Attorney

HARRISONVILLE MP, LLC a Missouri Limited Liability Company

ATTEST:

By:

Its: Manager / Member

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

BE IT REMEMBERED, that on this 2nd day of February, 2009, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Kevin Wood, Mayor of the City of Harrisonville, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said City, and such person duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

April L. Wiskur
April L. Wiskur NOTARY PUBLIC

My Commission Expires:

November 7, 2010

[SEAL]

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

APRIL L. WISKUR
My Commission Expires
November 7, 2010
Cass County
Commission #06475156

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this 23rd day of February, 2009, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Jerry D. Simmons, the Manager/Member of Harrisonville MP, LLC., a Missouri Limited Liability Company, who is personally known to me to be the same person who executed the within instrument on behalf of Harrisonville MP, LLC., and such person duly acknowledged the execution of the same to be the act and deed of Harrisonville MP, LLC.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Jessica Rutland
NOTARY PUBLIC

My Commission Expires:

4-18-12

[SEAL]

JESSICA RUTLAND
Notary Public
Commission # 08419679
Notary Seal
STATE OF MISSOURI
Jackson County, Commission Exp. 04-18-2012

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

EXHIBIT D

Updated Development Schedule – The Redevelopment Project

Begin Construction Redevelopment Project (East Side)	February 2008
End Construction Redevelopment Project (East Side)	March 2009
Project East Side Saturates	October 2010
Begin Construction Redevelopment Project (West Side)	February 2009
End Construction Redevelopment Project (West Side)	June 2009
Project West Side Saturates	October 2010

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Marketplace TIF
West Side

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Marketplace TIF
East Side

The City of
Harrisonville, Missouri

Market Place TIF Exhibits A & B

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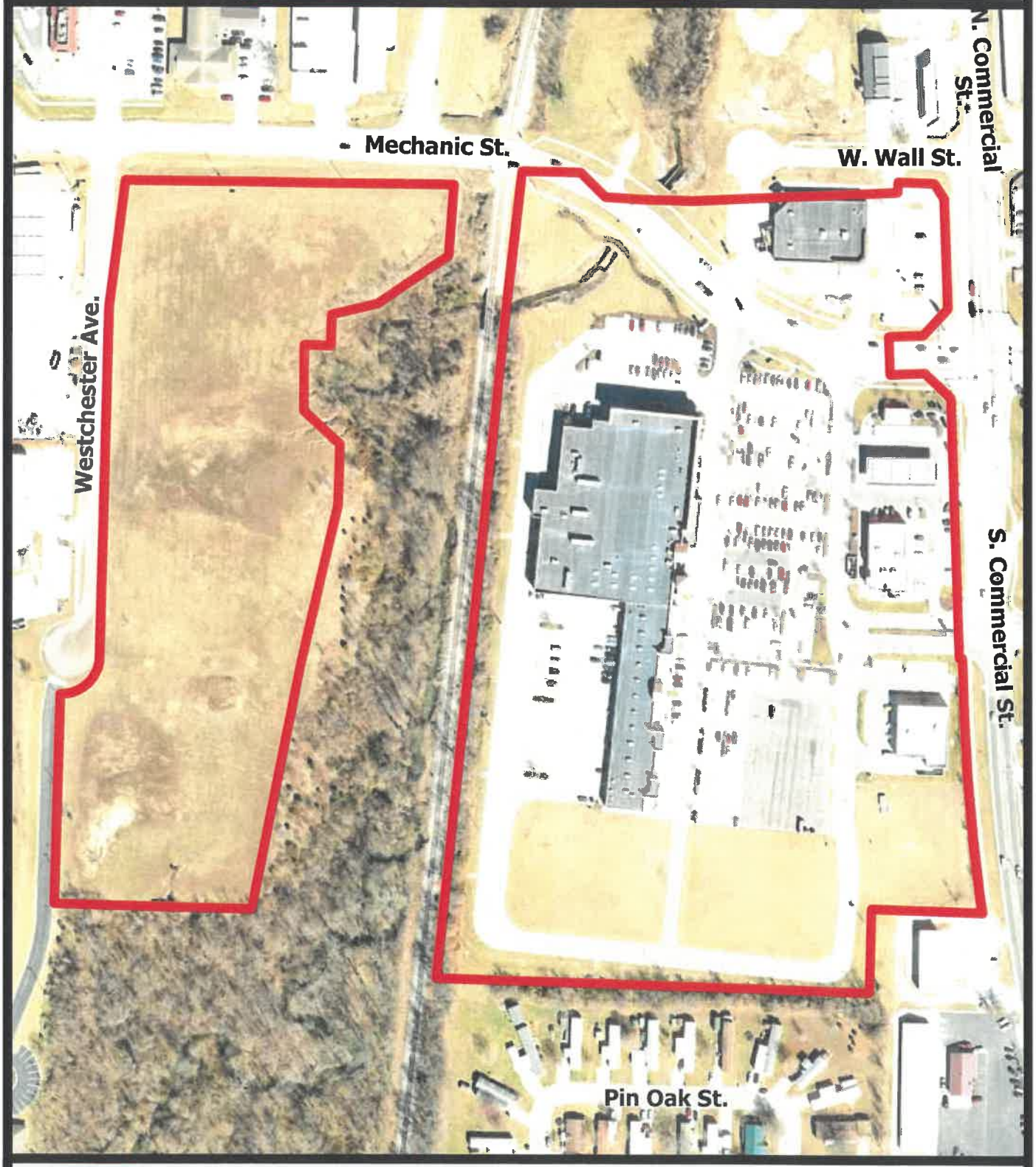

Market Place TIF Exhibits A & B

The commencing point for the traversed TIF area is a close approximate location.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

COUNCIL BILL 087
REDEVELOPMENT AGREEMENT
EXHIBIT B

TAX INCREMENT FINANCING

REDEVELOPMENT AGREEMENT

BETWEEN

THE CITY OF HARRISONVILLE, MISSOURI

AND

D. J. CHRISTIE, INC.

FOR THE

HARRISONVILLE TOWNE CENTER

TAX INCREMENT FINANCING PLAN

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

responsibility for the design or construction of building elements, including but not limited to the structural integrity or life/safety requirements or adequacy of budgets or financing or compliance with any applicable federal or state law, or local ordinance or regulation, including the environmental laws. All reviews, approval and consents by the City under the terms of this Agreement are for the sole and exclusive benefit of the Developer and no other person or party will have the right to rely thereon.

44. Time and Performance are of the Essence. Time and specific performance are of the essence of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF HARRISONVILLE, MISSOURI

ATTEST:

Debbie Grant

Debbie Grant City Clerk

By: _____

Mayor, Kevin Wood

APPROVED AS TO FORM:

Chris Williams City Attorney

D. J. CHRISTIE, INC., a Texas corporation

ATTEST:

_____

By: _____

David J. Christie

Its: President

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

STATE OF MISSOURI)
) ss.
COUNTY OF CASS)

BE IT REMEMBERED, that on this 21 day of November, 2005, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Kevin Wood the Mayor of the City of Harrisonville, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who are personally known to me to be the same persons who executed, as such officials, the within instrument on behalf of and with the authority of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Paula D. Billinger
NOTARY PUBLIC

Paula D. Billinger
Notary Public - Notary Seal
STATE OF MISSOURI
Cass County Comm. #05539142
My Commission Expires April 14, 2009

My Commission Expires:

4-14-2009

[SEAL] Paula D. Billinger NOTARY SEAL NOTARY PUBLIC Cass Co. Comm. #05539142 STATE OF MISSOURI

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

STATE OF ~~MISSOURI~~ Kansas)
) ss.
COUNTY OF Johnson)

BE IT REMEMBERED, that on this 22nd day of December, 2005, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came David J. Christie, the President of D. J. Christie, Inc., a _____ company, who is personally known to me to be the same person who executed the within instrument on behalf of D. J. Christie, Inc., and such person duly acknowledged the execution of the same to be the act and deed of D. J. Christie, Inc..

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Melissa A Ehart
NOTARY PUBLIC

My Commission Expires:

12/29/08

[SEAL]

NOTARY PUBLIC - State of Kansas
MELISSA A. EHART
My Appt. Expires 12/29/08

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

EXHIBIT D

SCHEDULE OF DEVELOPMENT

The construction of Redevelopment Project I will commence promptly following the approval of this Plan and Redevelopment Project I and the issuance of Obligations necessary to finance the Reimbursable Project Costs and closing of Private Loans as necessary to finance the remainder of the Redevelopment Project Costs.

The construction period is estimated to be approximately twenty four (24) months for Redevelopment Project I with a target date for completion of February 1, 2008.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

Lindbergh St.
S. Commercial St.
S. Independence
S. Orchard Rd.
Oakland St.
Trinity Cir.
W. Joy St.
Joy St.
Kirk St.
Jill St.
Kay Ave.
Walker Dr.
E. Outer Rd.
13-21-42-000-000-099.000
13-21-42-000-000-098.000
13-21-42-000-000-102.000
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Town Center TIF

The City of
Harrisonville, Missouri

Town Center TIF Exhibit 1A

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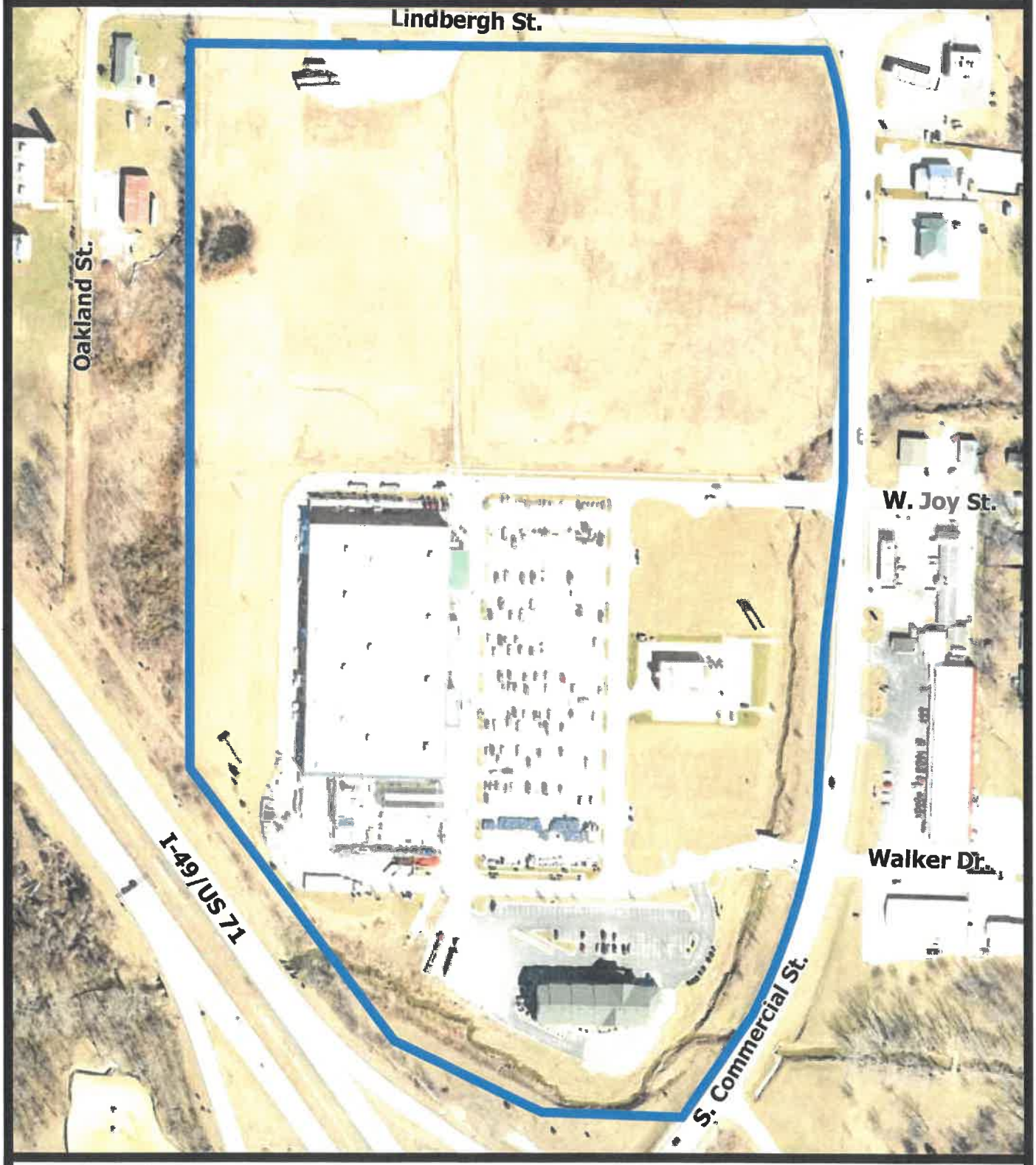

Town Center TIF Exhibit 1A

The commencing point for the traversed TIF area is a close approximate location.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)

The City of
Harrisonville, Missouri
Town Center TIF Exhibit 1B

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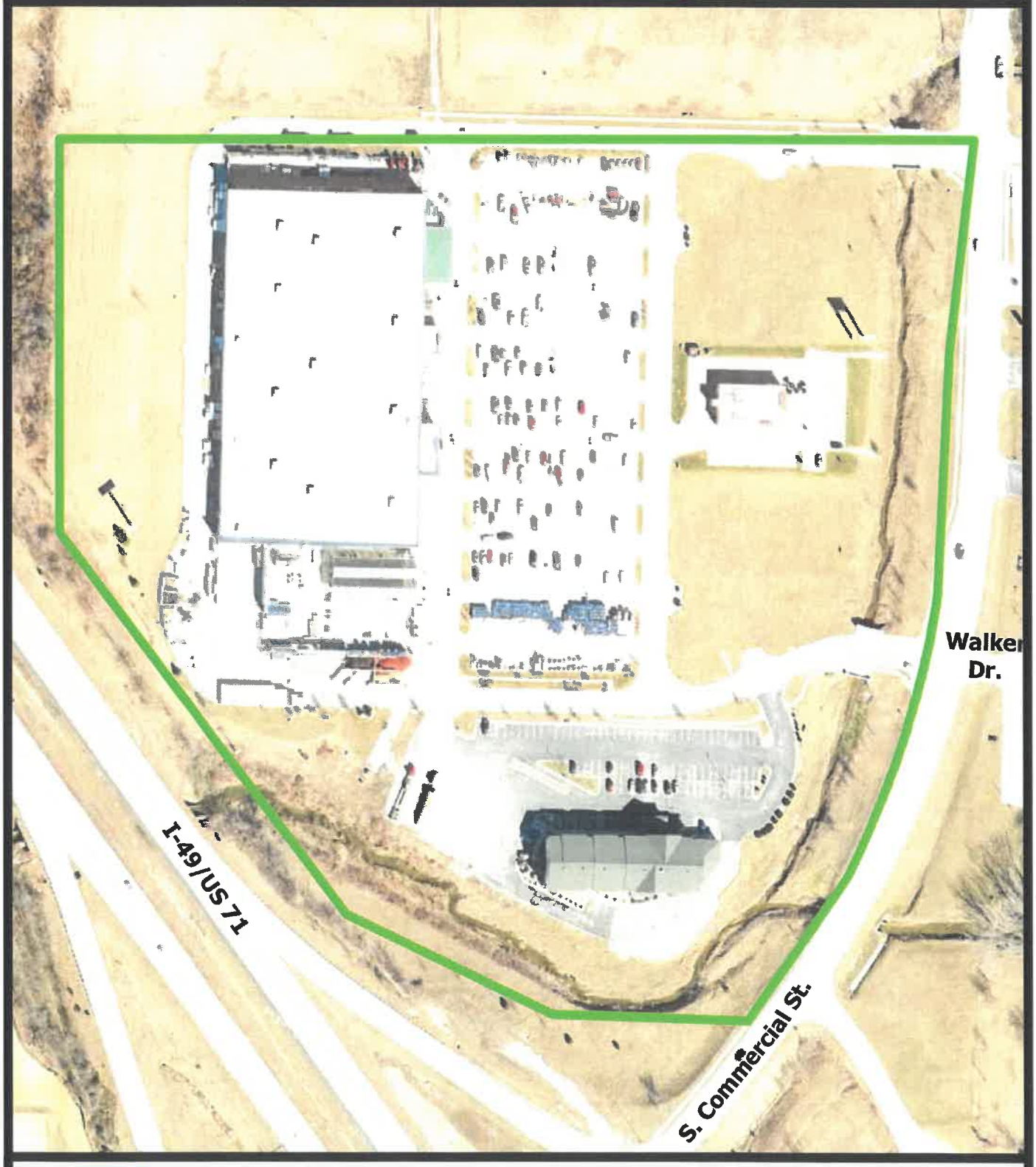

Town Center TIF Exhibit 1B

The commencing point for the traversed TIF area is a close approximate location.

Attachment: TIF PACKET 2017 (Continued Public Hearing 2017)