



BLUE SPRINGS CITY COUNCIL MEETING

May 19, 2008 @ 6:30 p.m.

Multipurpose Room of Howard L. Brown Public Safety Facility

1100 SW Smith Street

Blue Springs, Missouri

AGENDA

PLEASE NOTE: NEW POLICY

Anyone wishing to address the Mayor and Council, either in a Public Hearing or in the Visitors Section of the Agenda, must fill out a Speaker's Appearance Form. Forms are at the entrance door of the Multipurpose Room. After completion, the form is to be given to the Assistant City Administrator.

1. Call meeting to order
2. Pledge of Allegiance
3. Consent Agenda

All matters under Item 3, Consent Agenda, are considered to be routine by the City Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approve minutes of May 5 Council meetings as submitted in writing
 - b. Approve check registers for invoices scheduled to be paid May 19, 2008
 - c. Adopt Resolution No. 39-2008 approving Midwest Realty Development Company, LLC Funding Agreement
 - d. Approve Planning Commission appointments/reappointments
4. Introduction of 2007-2008 Blue Springs Chamber of Commerce Leadership Class
 5. Public hearing – Adams Dairy Landing - approving vacation of a portion of R.D. Mize Road (1.18+/- acres), east of Adams Dairy Parkway, just west of Adams Pointe Golf Course (VAC-4-08-1658) **(to be continued to June 2 Council meeting)**
 6. Introduction & readings of Bill No. 3968 calling a special election for the issuance of combined waterworks and sewerage system revenue bonds by the City of Blue Springs, Missouri
 7. Introduction & readings of Bill No. 3969 calling for a special election for the issuance of general obligation bonds by the City of Blue Springs, Missouri
 8. Discussion – 2008-2009 CDBG Action Plan
 9. Introduction and readings of Bill No. 3970 approving 90-day moratorium on multi-family housing
 10. Mayoral Announcements

11. Visitors
12. Adjournment

Miscellaneous Items

City Hall Closed – Monday May 26, 2008 – Memorial Day
Planning Commission – **Wednesday, May 28, 6:30 p.m.**, Multipurpose Room of
Howard L. Brown Public Safety Facility, 1100 SW Smith

If special accommodations are required for citizen participation in this meeting, please call 228-0110 (voice) or 228-0250 (TDD).



**City of Blue Springs Memorandum
Office of Administration**

TO: Mayor, City Council,
Department Directors, and Press

FROM: Eric Johnson
City Administrator

DATE: May 15, 2008

SUBJECT: Agenda Explanations

Item 3c – Adopt Resolution approving Midwest Realty Development Company, LLC Funding Agreement
Resolution will approve an agreement with the Developer prior to the formal submission of a TIF Redevelopment Plan by Midwest Realty Development Company, LLC. The agreement is necessary in order for all parties involved in the preparation, review, and analysis of the forthcoming TIF application to fully understand financial obligations and payments that will be made, by the Developer, for various expense items incurred by the City. The Developer will be advancing these funds to the City based upon a schedule of events/action items that are outlined in the agreement. Refer to the Council Information Form from Assistant City Administrator Todd Pelham for further information.

Item 3d – Approve Planning Commission appointments/reappointments

Mayor Ross is recommending the following appointments/reappointments to the Planning Commission: New Appointments (copies of the new appointments were sent to Council): Ted Anderson, District 1; Lynn Banks, District 2; James May, District 1. Reappointments: Keith Sullivan, District 1; Susan Culpepper, District 3.

Item 4 – Introduction of 2007-08 Chamber of Commerce Leadership Class

Debbie Whisler, Blue Springs Chamber of Commerce, will introduce the 2007-08 Leadership Blue Springs class.

Item 5 – Public hearing – Adams Dairy Landing – approving vacation of a portion of R.D. Mize Road (1.18+/- acres), east of Adams Dairy Parkway, just west of Adams Pointe Golf course (VAC-4-08-1658)

Because of a lack of a quorum at the May 12 Planning Commission, the public hearing will be heard at the May 28 Planning Commission and will be continued to the **June 2** Council meeting.

Item 6 – Bill calling for August 5, 2008 election for a combined waterworks and sewerage system revenue bonds

At the direction of the City Council, staff has prepared this Bill, which calls for a special election on August 5, 2008 on a voter-approved issuance of combined waterworks and sewerage system revenue bonds (payable from the net revenues from the operation of the system and not from property taxes) in the amount of \$35,000,000 for the purpose of improving and expanding the City's existing sewer treatment plant. Refer to the enclosed Council Information Form from Eric Johnson, City Administrator, for details.

Item 7 – Bill calling for August 5, 2008 election for issuance of general obligation bonds

At the direction of the City Council, staff has prepared this Bill, which calls for a special election on August 5, 2008 on a voter-approved issuance of general obligation bonds in the amount of \$28,000,000 for the purpose of (a) widening and improving Woods Chapel Road, (b) improving Duncan Road at the Woods Chapel Road/R.D. Mize Road intersection, (c) extending Moreland School Road to Liggett Road,

May 15, 2008

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and (d) improving the Colbern Road and Highway 7 intersection. Refer to the enclosed Council Information Form from Eric Johnson, City Administrator, for details.

Item 8 – Discussion regarding 2008-2009 CDBG Action Plan

City Planning and Development staff have requested a discussion with the Mayor and Council regarding the 2008-09 Community Development Block Grant Program (CDBG). The City of Blue Springs receives approximately \$230,000 annually from Housing and Urban Development (HUD). These funds are to be used in areas of the community that meet certain HUD requirements. Each year, the City is required to adopt a specific plan that identifies how these funds will be used to benefit certain portions of the community. This will be a discussion only and will not involve any formal action or vote being taken by the City Council.

Item 9 – Bill approving 90-day moratorium on multi-family housing

This Bill will approve a 90-day moratorium on approval and construction of new multi-family housing within the City. The Bill would not apply to construction of multi-family housing that has already received Site Plan and Design Review approval. Refer to enclosed Council Information Form from City Attorney Bob McDonald for details.

**CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM**

DATE: March 19, 2008

SUBMITTED BY: Eric Johnson

DEPARTMENT: Administration

| | | | |
|---|--|---------------------------------------|---|
| <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Presentation | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Agreement | <input type="checkbox"/> Discussion | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Other |

ISSUE/REQUEST:

City staff is asking the City Council to approve a Tax Increment Funding Agreement between the City of Blue Springs and Midwest Realty Development Co., LLC for the purpose of funding various expenses that will be incurred by the City (or City Representatives) during the course of preparing, evaluating, and analyzing a forthcoming TIF Development Plan on behalf of the City's TIF Commission and City Council.

BACKGROUND/EXPLANATION:

For the last several months, Midwest Realty Development Co. has been working with staff and the Blue Springs EDC to evaluate the feasibility and opportunity to submit a Tax Increment Financing development plan for a project north of Interstate I-70 on Jefferson Street. The project as discussed would entail development of approximately 42,400 square feet of retail space. Included in the project is the relocation and expansion to 35,000 square feet of an existing commercial and retail business within the City of Blue Springs and the addition of a 7,400 square foot sit-down restaurant concept new to the Kansas City metro area.

Representatives of Midwest Realty Development Co. have indicated to City staff that their interest in this project will require them to submit a formal Tax Increment Financing (TIF) Plan to the City TIF Commission and City Council for consideration. Staff believes that the review and analysis of the developer's proposal will formally occur over the next 90 to 120 days with the project being formally considered by the TIF Commission late Summer or Fall with future consideration by the Blue Springs City Council soon after the TIF Commission meeting.

The Developer recognizes that his TIF application for a retail development project will result in extraordinary expenses to the City that the City would not normally incur. As a result, City staff and the Developer desire to enter into a "Funding Agreement" that will establish sources of funds (provided by the Developer) to finance costs incurred for staff time, legal and fiscal analysis, planning consultants, engineering, design, and other direct out-of-pocket expenses resulting from the City's review and evaluation of the TIF application on behalf of the Developer, TIF Commission, and City Council.

Specific Conditions of this agreement:

1. The developer agrees to provide the city with an initial deposit of \$10,000 and maintain a minimum balance of \$10,000 until a maximum expense budget of \$20,000 is achieved. Both parties agree to an overall expense budget of \$20,000; however, the Developer may increase this amount upon approval.
2. The developer agrees to pay the City's TIF application fee of \$10,000 at the time the TIF Plan is filed with the City.

JUSTIFICATION:

City Staff, as well as the Developer, desire to enter into this agreement prior to the formal submission of a TIF development Plan by Midwest Realty Development Co. The agreement is necessary in order for all parties involved in the preparation, review, and analysis of the forthcoming TIF application to fully understand financial obligations and payments that will be made, by the Developer, for various expense items incurred by the City.

FINANCIAL IMPACT

| | |
|-----------------------------|--|
| Contractor: | Developer – Midwest Realty Development Co., LLC. |
| Amount of Request/Contract: | NA |
| Amount Budgeted: | None – the Developer will be advancing these funds to the City based upon a schedule of events/action items outline in the agreement |
| Funding Source/Account #: | Developer Funds |
| Additional Funds Needed: | NA |
| Funding Source/Account #: | NA |
| Tax Impact/Analysis: | NA |
| Abatement/Incentives: | NA |
| Escrow: | \$10,000 TIF application Fee and \$10,000 initial expense account Deposit |

STAFF RECOMMENDATION: Staff Recommends Approval

LIST OF REFERENCE DOCUMENTS ATTACHED:

1. Proposed Funding Agreement

REVIEWED BY:

| | |
|----------------------------|---------------------------------------|
| Requesting Director: _____ | Finance: <u>Christine Cates</u> _____ |
| PW/Engineering: _____ | Legal: <u>Bob McDonald</u> _____ |
| City Administrator: _____ | Other: _____ |

CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM

DATE: May 19, 2008

SUBMITTED BY: Eric Johnson

DEPARTMENT: Administration

| | | |
|--|-------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Ordinances | <input type="checkbox"/> Resolution | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Discussion | <input type="checkbox"/> Other |

ISSUE/REQUEST:

Approval of ordinances calling for an election on August 5, 2008 for two separate ballot issues including, the issuance of sewer and water revenue bonds and general obligation bonds for various road improvements.

BACKGROUND/EXPLANATION:

In January of 2008, the previous members of the City Council instructed the City Administrator to form a task force to evaluate community infrastructure needs and possible funding options and provide a recommended course of action to the newly elected City Council. The first meeting of this task force, which was made up of City Council members, former Blue Springs Mayors, and several community leaders and stakeholders, was held February 7, 2008. The task force met eight (8) more times over the next 12 weeks and provided a task force report to the Blue Springs City Council on May 5, 2008.

The task force presented 3 needs or initiatives for the City Council to consider for an August 5, 2008 election. On May 5, 2008 the City Council instructed staff to move forward with placing two of these recommended initiatives on the August 5, 2008 ballot.

The first ballot issue was the issuance of sewer and water revenue bonds in the amount of \$35 million dollars for the purpose of improving and expanding the City's existing sewer treatment plant. This project would also bring the City into compliance with current and future Environmental Protection Agency (EPA) and Missouri Department of Natural Resources (MDNR) rules and regulations. With voter approval the City would be eligible to apply for low interest rate state revenue bonds which would save the City \$12 million dollars in financing costs. The bonds would be repaid through currently approved water and sewer rates and not through property taxes.

The second ballot issue was the issuance of general obligation bonds in the amount of \$28 million for the purpose of improving and expanding several major roads in Blue Springs, including Woods Chapel Road, Duncan Road at the Woods Chapel Road/ R.D. Mize intersection, Moreland School Road to Liggett Road, and the Colbern Road and Highway 7 intersection. General obligation bonds can be issued for these road projects without incurring an increase in the current debt service levy or property taxes. If new general obligation bonds are not issued or approved by the voters a roll-back of the current .15 cent debt service levy will occur.

The timing of this election closely coincides with the adoption and setting of the property tax levy for 2008. In order to ensure a rollback of the debt service levy does not occur this year, the City Council will be asked at a City Council meeting in June to adopt an ordinance that will allow the City to prepay a portion of the bonds that are currently outstanding.

This action is requested because the new assessed valuation for the City, which is used in the calculation to set the tax levy, is not available until after the election is scheduled. An increase in the assessed valuation could require the tax levy to be decreased in 2008.

JUSTIFICATION:

The City Council is required by State statute to authorize the City Clerk to file a form with the Jackson County Board of Election Commissioners. The City is required to submit this form which contains the actual ballot questions and verification of the passage of this ordinance authorizing the issuance of revenue and general obligation bonds. For this specific ballot issue the City is required to notify the Jackson County Board of Election Commissioners of the passage of this ordinance no later than 4:30 P.M. on Tuesday, May 27, 2008.

FINANCIAL IMPACT

| | |
|-----------------------------|--|
| Contractor: | N/A |
| Amount of Request/Contract: | \$35 million in sewer and water revenue bonds, and \$28 million in general obligation bonds for road improvements. |
| Amount Budgeted: | N/A |
| Funding Source/Account #: | N/A |
| Additional Funds Needed: | N/A |
| Funding Source/Account #: | N/A |
| Tax Impact/Analysis: | N/A |
| Abatement/Incentives: | N/A |
| Escrow: | N/A |

PROJECT TIMELINE

| | |
|---|--------------|
| EST. START: | EST. FINISH: |
| OTHER INFORMATION/UNIQUE CHARACTERISTICS: | |

STAFF RECOMMENDATION:

Staff recommends moving forward with placing the questions on the August 5, 2008 ballot by passing both ordinances.

OTHER BOARDS & COMMISSIONS ASSIGNED:

LIST OF REFERENCE DOCUMENTS ATTACHED:

1. Copy of Proposed Ordinances
2. Notice of Special Election

REVIEWED BY:

| | |
|--|---------------------------------|
| Requesting Director: <u>Eric Johnson</u> | Finance: <u>Christine Cates</u> |
| Engineer: _____ | Legal: <u>Bob McDonald</u> |
| City Administrator: _____ | Other: _____ |

Council Meeting Date: 5/19/2008

Agenda Item #: 9

**CITY OF BLUE SPRINGS
CITY COUNCIL INFORMATION FORM**

DATE: May 14, 2008

SUBMITTED BY: Bob McDonald

DEPARTMENT: Legal

| | | |
|---|-------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Discussion | <input type="checkbox"/> Other |

ISSUE/REQUEST:

Passage of ordinance imposing a 90 day moratorium on the approval and construction of new multi-family housing within the City. This would not apply to construction of multi-family that already had received Site Plan and Design Review approval.

BACKGROUND/EXPLANATION:

The Mayor has asked that an ordinance be presented to the Council that imposes a ninety (90) day moratorium on the approval and construction of new multi-family residential units in the City. The proposal would not stop construction of units that have already received Site Plan and Design Review approval, but would preclude acceptance of any new application and the further processing of plats, PUD Preliminary and Final Plans, etc. for projects that had not received Site Plan and Design Review approval. So, if a developer only has zoning, Preliminary or Final Plat approval and/or Preliminary or Final PUD Plan approval, they would not be able to move forward to Site Plan and Design Review and building permit until the moratorium is lifted. Site Plan and Design Review is required of all multi-family developments.

JUSTIFICATION:

This ordinance will give the City the time necessary to review existing procedures and requirements for multi-family residential projects.

FINANCIAL IMPACT

| | |
|-----------------------------|--|
| Contractor: | |
| Amount of Request/Contract: | |
| Amount Budgeted: | |
| Funding Source/Account #: | |
| Additional Funds Needed: | |
| Funding Source/Account #: | |
| Tax Impact/Analysis: | |
| Abatement/Incentives: | |
| Escrow: | |

PROJECT TIMELINE

EST. START: Not applicable

EST. FINISH:

OTHER INFORMATION/UNIQUE CHARACTERISTICS:

Council Information Form
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| |
|---|
| STAFF RECOMMENDATION: Passage is recommended. |
| OTHER BOARDS & COMMISSIONS ASSIGNED: None |

LIST OF REFERENCE DOCUMENTS ATTACHED:

1. The proposed ordinance
- 2.
- 3.
- 4.

REVIEWED BY:

| | |
|----------------------------|---------------------|
| Requesting Director: _____ | Finance: _____ |
| Engineer: _____ | Legal: Bob McDonald |
| City Administrator: _____ | Other: _____ |