AGENDA

Planning, Zoning, and Historic Preservation Commission
Monday, April 3, 2023 5:30 pm
City Hall Chambers
326 Grant St. / Carthage MO 64836

Call to Order

Minutes of Previous Meeting Monday, March 6, 2023

Public Hearing

1. Request is for the Annexation of property known as 2213 Missouri Avenue
2. Request for Rezoning (contingent upon annexation approval) of property known as 2213 Missouri Ave

Staff Report

New Business

Old Business

1. Discuss establishment of 353 Corporation
2. Discuss City Comprehensive Plan

Next Meeting: Monday, May 1, 2023

Adjourn

Commission Members

Voting Members:	Chairman	Jim Hunter	1514 S River	417-850-5355
	Vice Chairman	Jim Swatsenbarg	601 Howard	417-358-1690
	Secretary	Joshua Anderson	1205 S Main	417-793-2196
	Member	Alan Bull	614 E Centennial	417-388-2309
	Member	Bill Barksdale	1314 S Garrison	417-388-2464
	Member	Vacant		
	Member	Vacant		
Non-Voting Members:	Mayor	Dan Rife	City Hall	417-237-7003
	City Administrator	Greg Dagnan	City Hall	417-237-7003
	Asst. City Administrator	Traci Cox	City Hall	417-237-7003
	Councilmember	Mark Elliff	1511 Grand Ave	417-359-3662
Staff:	Public Works Director	Zeb Carney	Public Works Department	417-237-7010

Planning, Zoning, & Historic Preservation Commission

Meeting Minutes

March 06, 2023 / 5:30 PM / City Hall Chambers

Attendees

Members: Jim Swatsenbarg, Jim Hunter, Alan Bull, & Josh Anderson

Staff & Council: Greg Dagnan, Nathaniel Dalley, Mark Elliff & Rachel Sutherland

Presenters: Sheriff Randee Kaiser, Betsy Flanagan, Matt Denney, & Nancy Johnson

The meeting was called to order at 5:30 by Jim Swatsenbarg, Vice Chairman

Agenda

Approval of Previous Meeting Minutes

- Motion by Alan Bull to approve previous meeting minutes, seconded by Jim S. - all present voted in favor, minutes were approved

Public Hearings

#1- Request for certificate of appropriateness for the demolition of the structure located at 815 Grant Street

- Sheriff Randee Kaiser presented the plans for The Bridge to demolish the house at 815 Grant Street. The house was purchased in Aug. of 2022 with the intention to demolish it for future growth. The house is on the National Registry of Historic Places.
- General discussion amongst the voting commission members.
- Betsy Flanigan read a letter from the Carthage Historic Preservation in opposition of the demolition of the house and the importance of saving Carthage's Historic structures.
- It was asked if there were any implications with the NPS if the house is demolished. Betsy said "none that she knows of."
- Nancy Johnson, citizen and neighbor to the church, also spoke in opposition of the demolition.
- Jim H. moved to approve the certificate of demolition. Alan Bull seconded the motion.
- 3 in favor: Jim S, Jim H, & Alan B, 1 against: Josh A. - the motion passed.

#2- Request for a special use permit for the construction of a shower house at 125 E. Fairview

- Matt Denney presented the request and plans for the new shower house.

- General discussion was had about the location, plans, and overall design of the new facility.
- Jim H. moved to approve the special use permit. Alan B. seconded the motion.
- All in favor, motion passed.

New Business

- Election of Officers:
  - Jim H. was nominated as Chairman
  - Josh A. was nominated as Secretary
- New Members:
  - Greg D. talked about the election of new members and if we should move the date that the commission meets. Discussion was had about moving the date between members of the audience and the commission.
  - It was agreed upon that the date would not move and the discussion about new members was tabled until the next meeting.
- New Hire:
  - The city hired an Economic Development Director to assist with 353 tax credits.

Old Business

- N/A

At 6:09 Jim H. moved to adjourn the meeting, seconded by Alan Bull. All in favor. Meeting was adjourned.

The next meeting is scheduled for April 3rd, 2023 at 5:30pm in the City Council Chambers

PRE-DEVELOPMENT APPLICATION

Complete with required information (write 'n/a' if information not applicable to proposal)

	Preliminary Plat	Filing Fee: $200.00
✓	Annexation	Filing Fee: $100.00

Date: 03/14/2023

Applicant / Company Name: ESM Technologies LLC dba Stratum Nutrition Tele: (800) 970-4479

Address: 2213 Missouri Ave. City: Carthage State: MO Zip: 64836

Contact: Kelly DeVries Tele: (616) 283-1425

Address: 2213 Missouri Ave. City: Carthage State: MO Zip: 64836

Project Name: Annexation

Land Use and Zoning abutting or adjacent to site:

		Zoning:
North:	Multifamily Housing	C
South:	Light Industrial	F
East:	General Business (Fitness Center)	E
West:	Single Family Housing	N/A (Rural)

Project Address / Location: 2213 Missouri Ave. Carthage MO 64836

Property Owner: Stratum Nutrition LLC Site acreage: 4.24

Subdivision / Tract Description: FAIRLAWN SUB-DIV LOT 1 BLK D; Section 16, Township 28, Range 31
(Lot / Block / Tract Info)

If residential, estimated Number of Dwelling Units: Single family: N/A Multi-family: N/A

Please provide an Overview of your Project:
Voluntarily requesting annexation into City of Carthage.

Kelly DeVries
Kelly DeVries (Mar 13, 2023 18:20 CDT)
Applicant Signature

Owner Signature

Upon completion, return to the Public Works Department.

Office Use Only:
Date Received: ______ Staff Meeting Date: ______ P & Z Meeting Date: ______

PRE-DEVELOPMENT APPLICATION REVIEW PROCESS:

- Request a Pre-Development Application from the Public Works Department

- Applicant completes Application and returns it to the Public Works Department

- Public Works Staff review the application and directs any concerns to the Applicant

- Once the Applicant pays the filing fee the Application is placed on the Agenda for the next Planning, Zoning & Historic Preservation Commission Meeting.
- Applicant is notified of P & Z meeting date.

- Notice of Public Hearing is published in the Carthage Press

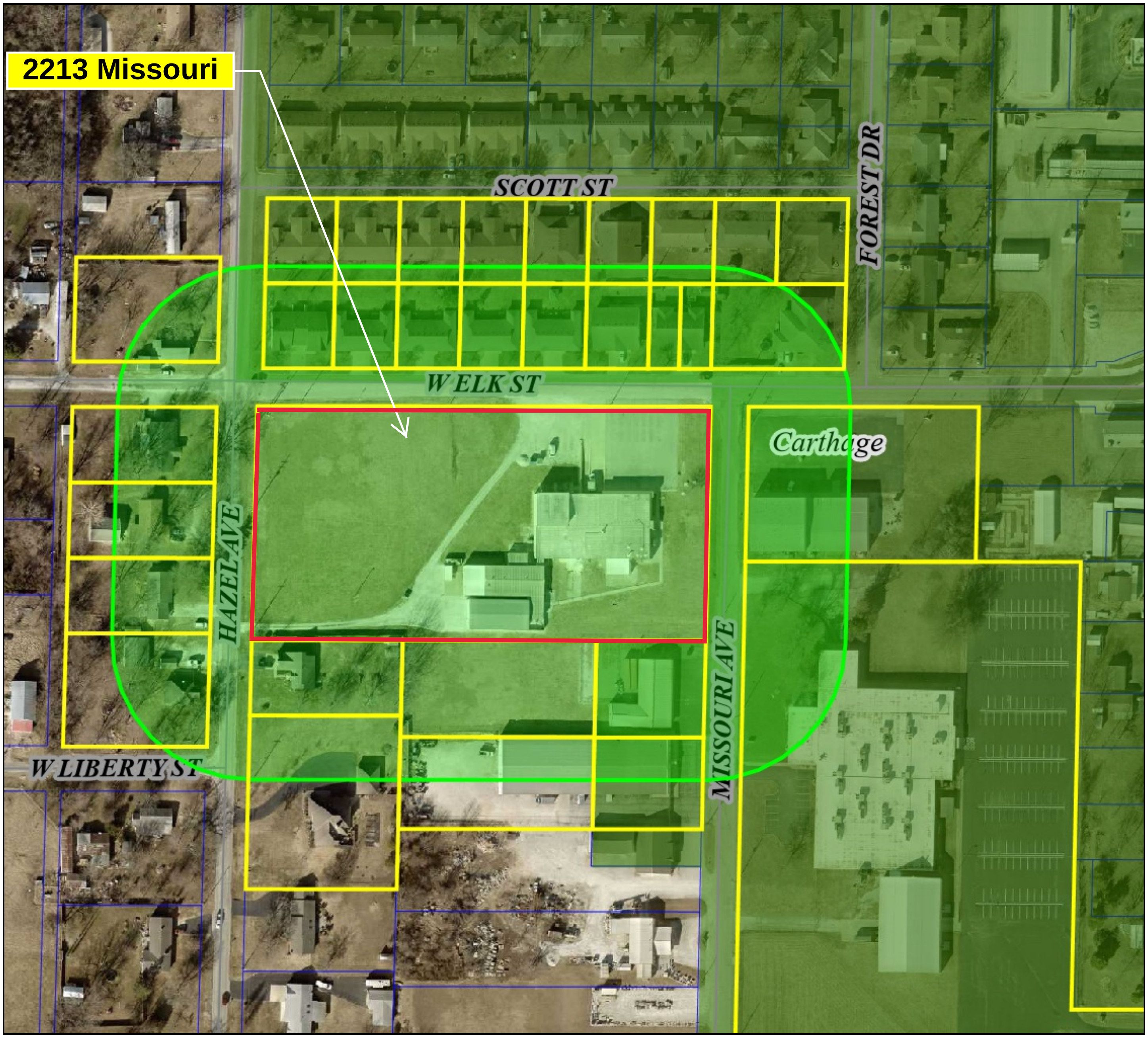
- The Public Works Department notifies adjoining property owners within a 185' of the application request. (Annexations Only)

- City Clerk posts agenda no less than 24 hours prior to meeting.
- Planning, Zoning & Historic Preservation Commision conducts meeting and votes on recommendation to City Council regarding approval or denial of application request.

- Upon an approval decision a Council Bill is prepared for first reading at next Council meeting.

- Council Bill goes through a second reading before final approval is given.

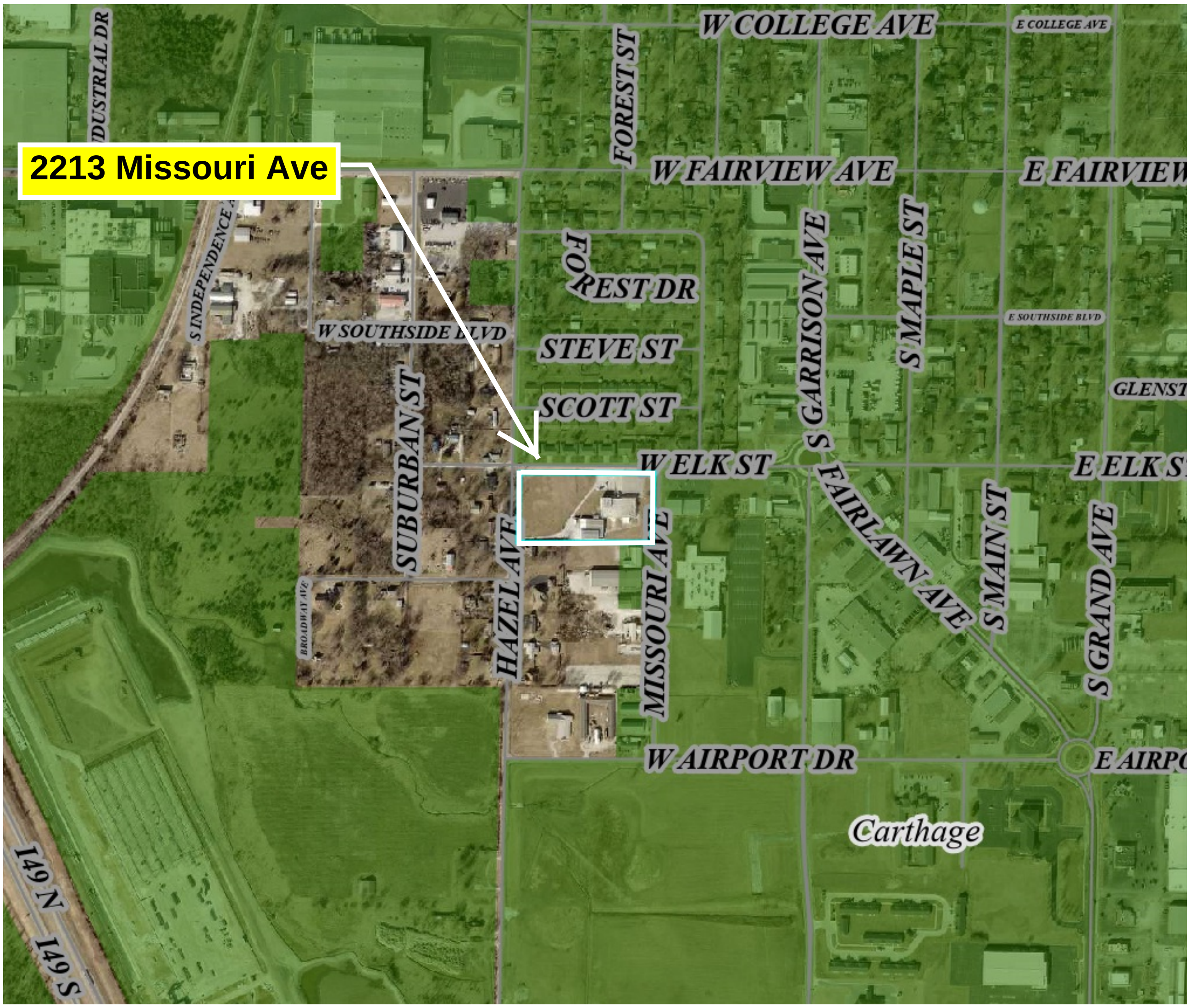
185' Property Ownership Map
2213 Missouri



Date created: 3/23/2023
Last Data Uploaded: 3/23/2023 2:43:24 AM

Developed by Schneider GEOSPATIAL

Current City Limits



Date created: 3/14/2023
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Developed by Schneider GEOSPATIAL

REZONING REQUEST

You must provide all requested information on this application. Blanks may delay processing your request. (write 'n/a' if information not applicable)

"America's Maple Leaf City"

Date: 03-14-2023 Filing Fee: $100.00

Owner: ESM Technologies LLC dba Stratum Nutrition

Address: 2213 Missouri Ave. Tele: 800-970-4479

City: Carthage State: MO Zip Code: 64836

Email Address: kdevries@stratumnutrition.com Fax:

Applicant: Kelly DeVries Relationship to Owner: Employee

(person to whom all correspondence will be sent)

Address: 2213 Missouri Ave. Tele: 616-283-1425

City: Carthage State: MO Zip Code: 64836

Email Address: kdevries@stratumnutrition.com Fax:

Property Location: 2213 Missouri Ave.

Legal Description:

FAIRLAWN SUB-DIV LOT 1 BLK D
Parcel ID: 14501610013001000
Section 13, Township 28, Range 31

(attach separate sheet if necessary)

Adjacent Zoning and Land Use:

	Existing Land Use	Zoning
North	Multifamily Housing	C
South	Light Industrial	F
East	General Business	E
West	Single Family Housing; Rural non-annexed	N/A

Note: The City's Zoning Ordinance may be viewed at the Public Works Department

Present Use of Property: Light industrial manufacturing

Proposed Use of Property: Light industrial manufacturing

Current Zoning: N/A; Rural

Zoning Requested: Light Industrial (Class F)

Request initiated by: Denied permit ✓ Change of land use New development

M L Ol

Owner's Signature

Kelly DeVries
Kelly DeVries (Mar 13, 2023 18:21 CDT)

Applicant's Signature

Return Form to: Public Works Department

Office Use Only: Date Received: ______	Hearing date: ______	Approved: ☐ Yes	☐ No		
Filing Fee: ______					

REZONING REVIEW PROCESS

It is strongly recommended that any person considering a Rezoning request to first contact the Public Works Department staff, who will explain the review process, applicable requirements and standards, potential issues, and provide the necessary forms.

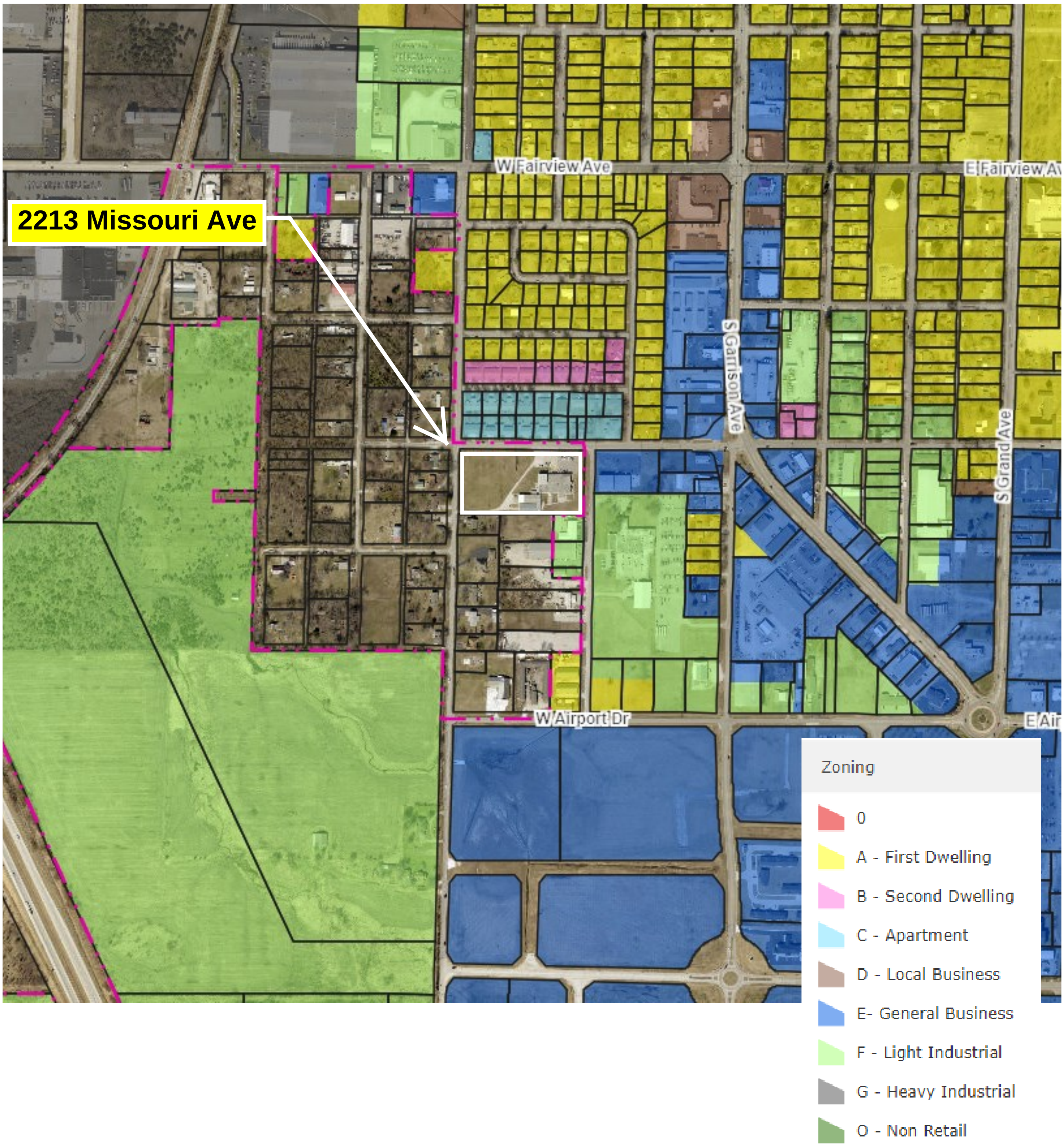
When an owner/contractor submits a Building Permit Application and through the plan review process it is determined by the Building Inspector that the proposed structure does not comply with the zoning requirements for that district, the permit is denied and the applicant is informed of their options. All property annexed into the City shall automatically be classified as lying and being in district "A", if other zoning is desired it must go through the Rezoning review process.

Review of a Rezoning request occurs in accordance with defined cycles that accommodate comprehensive review by the City, a public hearing and review by the Planning, Zoning and Historic Preservation Commission, and public notice of hearing.

- Request Rezoning Application from the Public Works Department
- Applicant completes application and returns it to the Public Works Department
- Public Works Department staff reviews the application and directs any concerns to the Applicant
- Once the Applicant pays the filing fee, the Rezoning Request is placed on the next Planning, Zoning and Historic Preservation Commission Meeting Agenda
- Applicant is notified of hearing date
- Notice of Public Hearing Date is published in Carthage Press
- The Public Works Department notifies adjoining property owners within 185" of the property designated for rezoning of the Public Hearing Date
- City Clerk posts agenda no less than 24 hours prior to meeting
- Planning, Zoning and Historic Preservation Commission conducts hearing and votes on recommendation to City Council regarding approval or denial of request
- Upon an approval, a Council bill is prepared for first reading at next Council meeting
- Council Bill goes through a second reading by Council
- City Clerk notifies all agencies of rezoning

Note: The City Council meet the second and fourth Tuesday of each month. The Planning, Zoning and Historic Preservation Commission meet on the first Monday of every month.

Current City Zoning Map



CERTIFICATE OF CORPORATE RESOLUTION OF THE CARTHAGE REDEVELOPMENT

CORPORATION INC.,

Resolution No. 2023-01

A RESOLUTION approving the Bylaws of the Carthage Redevelopment Corporation; authorizing the Chairman to execute the same and setting a date when this Resolution shall become effective.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CARTHAGE REDEVELOPMENT CORPORATION, CARTHAGE, MISSOURI, as follows:

Section 1. That the Board approves the Bylaws of the Carthage Redevelopment Corporation Inc., a true and accurate copy of the same being attached hereto.

Section 2. That this Resolution shall become effective from and after the date of passage thereof.

PASSED BY THE BOARD OF DIRECTORS OF THE CARTHAGE REDEVELOPMENT CORPORATION, CARTHAGE, MISSOURI, this ____Day of ______________2023.

ATTEST:

________________________________ ________________________________

__________________________, Secretary __________________________, Chairman

CARTHAGE REDEVELOPMENT CORPORATION, INC.

ARTICLE I Name and Purpose

Section 1. Name. The name of the corporation shall be the Carthage Redevelopment Corporation, Inc., (hereinafter referred to as the "Corporation" or “CRC”).

Section 2. Purpose. The purpose for which the CRC is organized is as set forth in the Articles of Agreement of the Corporation.

ARTICLE II Locations of Offices

The principal office of the CRC shall be located in Carthage, Missouri or at such other place, as the Board of Directors may designate.

ARTICLE III Board of Directors

Section 1. General Powers. The affairs of the CRC shall be managed by its Board of Directors (hereinafter referred to as the "Board").

Section 2. Number and Qualifications. The Board shall consist of no fewer than five and no more than eleven members.

Section 3. Election Process. The Directors of the corporation shall be elected at the annual meeting of the corporation each year. The current Board of Directors shall look at any vacancies and seek out individuals to fill any open terms. The initial Board of Directors shall be those individuals named in the Articles of Agreement filed with the Missouri Secretary of State.

Section 4. Term. All directors shall serve a term of one year, but may serve an unlimited number of terms without a break in service.

Section 5. Ex-Officio Board Members. In addition to the elected members of the Board, the Mayor of the City of Carthage or their designees shall be ex-officio members of the Board but they shall have no vote on corporation issues.

Section 6. Resignation and Removal. A Director may resign at any time by submitting his written resignation to the Chairman of the Board. Resignations shall be effective on the date specified therein, or, if no date is specified, upon receipt by the Chairman. A Director may be removed by a majority vote of the Directors then in office or by action of the Carthage City Council.

Section 7. Vacancies. Any vacancy in an elected director shall be filled by an individual nominated by the Board to complete the existing Board term. Any ex-officio director vacancies will be filled by the individual selected to fill the position by the Mayor of the City of Carthage or their designee.

Section 8. Attendance. Directors are required to attend at least one-half of the Board meetings held each year. A Director who fails to meet the above attendance requirement or who misses three consecutive regularly scheduled meetings may be removed from office.

Section 9. Regular Meetings. Regular meetings of the Board may be held quarterly at the principal place of business of the Corporation or as specified in the notice of the meeting. The meeting held during the 2nd quarter shall be the annual meeting of the Board.

Section 10. Special Meetings. Special meetings of the Board may be called at the request of the Chairman or two Directors. The location of special meetings shall be at the principal office of the CRC unless a majority of the Directors deem it appropriate to meet at another location.

Section 11. Notice. Written or printed notice stating the place, day, hour of the meeting and, in case of a special meeting, the purpose or purposes for which it is called shall be delivered not less than two nor more than fourteen days before the date of the meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called.

Section 12. Quorum. A majority of the whole Board present shall constitute a quorum for the transaction of any business at any meeting of the Board.

Section 13. Voting. Each Director shall be entitled to one vote, proxies are not allowed.

Section 14. Compensation. Directors shall not receive any stated salaries for their services. They may receive reimbursement for necessary expenses, as authorized and approved by the Board. Notwithstanding the foregoing, nothing contained in this Section shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation therefore.

ARTICLE IV Officers

Section 1. Officers. The officers of the Corporation shall be a Chairman, Vice-Chairman, and a Secretary/Treasurer. Each office shall be held by one Board member, and can not occupy more than one officer role at a time.

Section 2. Election and Term of Office. The officers of the Corporation shall be elected by the Board at its annual meeting. Each officer shall hold office for one year or until his successor shall have been duly elected. No person except the Chairman shall serve in any single office for more than three consecutive one-year terms. After an absence of one year in any office, such person shall be eligible for re-election to that office for up to three additional consecutive one-year terms.

Section 3. Removal. Any officer elected or appointed by the Board may be removed by a majority vote of the Directors in office.

Section 4. Vacancies. A vacancy in any office due to death, resignation, removal, disqualification or otherwise may be filled by the Board for the unexpired portion of the term.

Section 5. Chairman. The Chairman shall preside at all meetings of the Board, and shall see that all orders and resolutions of the Board are carried into effect and, in general, shall perform all duties incident to the office of Chairman.

Section 6. Vice-Chairman. The Vice-Chairman shall act in the absence of the Chairman, in which case they shall have all the power and authority of the Chairman.

Section 7. Secretary/Treasurer. The Secretary/Treasurer shall give or cause to be given notices of all meetings, record or cause to be recorded minutes of all meetings of the Board, and shall have charge and custody of and be responsible for all funds and securities of the Corporation.

ARTICLE V Fiscal & Legal Matters

Section 1. Contracts. The Chairman may enter into contracts on behalf of the Corporation after being authorized to do so by a quorum-qualified vote at a regular or special meeting called for that purpose.

Section 2. Payments. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness shall be signed by the Treasurer of the Corporation or Chairman of the Board. Any checks, drafts or orders for the payment of money, notes or other evidences of indebtedness of the Corporation exceeding Five Hundred Dollars, shall be countersigned by both the Chairman and Treasurer.

Section 3. Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies and other depositories as the Board may select.

Section 4. Gifts. The Board may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

ARTICLE VI Indemnification

The Corporation shall indemnify and protect any director, officer, employee or agent of the Corporation, or any person who serves at the request of the Corporation as a director, officer, employee, member, manager, and their respective heirs and legal representatives, by this corporation against all liabilities incurred in connection with any suit or matter in which they are involved by reason of their relationship with this corporation.

ARTICLE VII Conflicts of Interest

No contract or transaction between the Corporation and one or more of its Directors, officers, or between the Corporation and any other corporation, partnership, association or other organization in which one or more of its Directors or officers are directors or officers or have a financial interest, shall be void or voidable solely for this reason, or solely because the Director or officer is present at or participates in the meeting of the Board or committee thereof which authorizes the contract or transaction.

ARTICLE VIII Books and Records

The Corporation shall keep correct and complete books and records of account, shall keep minutes of the proceedings of the Board and committees having any of the authority of the Board, and shall keep, at the registered or principal office, a record giving the names and addresses of the members of the Board.

ARTICLE IX Fiscal Year

The fiscal year of the Corporation shall begin on the first day of January and end on the last day of December in each year.

ARTICLE X Waiver of Notice

Whenever any notice is required to be given by law, the Articles of Agreement or these Bylaws, a waiver thereof in writing signed by the person or person entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XIII Dissolution

In the event of the dissolution of the Corporation or the winding up of its affairs, or other liquidation of its assets, all assets of the Corporation remaining after the payment of the Corporation's debts shall be conveyed or distributed to the City of Carthage, Missouri.

ARTICLE XIV Amendments

These Bylaws may be altered, amended or repealed and new bylaws adopted by a majority vote of the Directors then in office; provided, however, that notice of the proposed amendment be given to each Director ten days prior thereto.

* * *

Adopted by the Board of Directors of the CARTHAGE REDEVELOPMENT CORPORATION, INC., this ____ Day of _____________, 2023.

ATTEST:

____

________________________________, Secretary
CARTHAGE REDEVELOPMENT CORPORATION, INC.

____

___________________________, Chairman
CARTHAGE REDEVELOPMENT CORPORATION, INC.

ARTICLES OF AGREEMENT
OF
CARTHAGE REDEVELOPMENT CORPORATION, INC.

The undersigned natural persons of the age of eighteen years or more for the purpose of forming an incorporating a corporation under The Urban Redevelopment Law of the State of Missouri (Chapter 353 of the Missouri Revised Statutes) adopts the following Articles of Agreement:

ARTICLE I

The name of the corporation (hereinafter referred to as the “Corporation”) is Carthage Redevelopment Corporation, Inc.

ARTICLE II

The purposes for which the Corporation is formed are:

(a) To acquire, construct, maintain and operate a redevelopment project or projects in accordance with the provisions of The Urban Redevelopment Corporations Law of the State of Missouri, Chapter 353 of the Missouri Revised Statutes, as now enacted or hereafter amended; and

(b) In general, to have an exercise all powers conferred by the laws of Missouri upon corporations formed under the laws of The Urban Redevelopment Corporations Law of the State of Missouri, and to do any and all things hereinbefore set forth to the same extent as natural persons might or could do.

ARTICLE III

The aggregate number, class and par value, if any, of shares which the Corporation shall have authority to issue shall be One Hundred shares of Common Stock, each of which shall have a par value of One Cent per share, amounting in the aggregate to One Dollar. The preferences, qualifications, limitations, restrictions, and the special or relative rights including convertible rights, if any, in respect of the shares of each class are as follows: None.

ARTICLE IV

The preemptive right of a shareholder to acquire additional shares is denied.

ARTICLE V

The City and County in which the Corporation’s principal business office is to be located is the City of Carthage, in the County of Jasper, Missouri.

ARTICLE VI

The duration of the Corporation shall be for 99 years.

ARTICLE VII

The number of Directors to constitute the initial Board of Directors is five. Thereafter, the number of directors shall be fixed by, or in the manner of the Bylaws; provided, however, that the number of directors shall in no event be fewer than five or more than eleven.

ARTICLE VIII

The names and addresses of the Directors of the Corporation for the first year are as follows:

Darren Collier
528 East Centennial Avenue
Carthage, MO 64836

Lora Phelps
2422 Theo Street
Carthage, MO 64836

Maria Sanchez
1301 Jude Lane
Carthage, MO 64836

Stanley Schmidt
1105 Industrial Drive
Carthage, MO 64836

Jeffrey Williams
1623 Alexandra Drive
Carthage, MO 64836

ARTICLE IX

The names and addresses of the Incorporators of the Corporation are as follows:

Gregory Dagnan
326 Grant Street
Carthage, MO 64836

Stephanie Howard
627 W Centennial Ave
Carthage, MO 64836

Jeffrey Meredith
627 W Centennial Ave
Monett, MO 65708

ARTICLE X

In the event that income debenture certificates are issued by the Corporation, the owners thereof shall have the same right to vote as they would have if they possessed certificates of stock of the amount and par value of the income debenture certificates held by them.

ARTICLE XI

The Corporation has been organized to serve a public purpose; all real estate acquired by it and all structures erected by it are to be acquired for the purpose of promoting the public health, safety and welfare, and the stockholders of the Corporation shall, when they subscribe to and receive the stock thereof, agree that the net earnings of the Corporation shall be limited to an amount not to exceed eight percent per annum of the cost to the Corporation of the redevelopment project including the cost of the land, or the balances of such cost as reduced by amortization payments; provided, that the net earnings derived from any redevelopment project shall in no event exceed a sum equal to either percent per annum upon the entire cost thereof. Such net earnings shall be computed after deducting from gross earnings the following:

(a) All costs and expenses of maintenance and operation;

(b) Amounts paid for taxes, assessments, insurance premiums and other similar charges; and

(c) An annual amount sufficient to amortize the cost of the entire project at the end of the period, which shall not be more than sixty years from the date of completion of the project.

The Corporation's development plan may contain provisions satisfactory to the legislative authority authorizing such plan that any surplus earnings in excess of the rate of net earnings provided in the Urban Redevelopment Corporations Law of Missouri may be held by the Corporation as a reserve for maintenance of such rate of return in the future and may be used by the Corporation to offset any deficiency in such rate of return which may have occurred in prior years; or may be used to accelerate the amortization payments; or for the enlargement of the project; or for reduction in rentals therein.

ARTICLE XII

The Corporation, organized under The Urban Redevelopment Corporations Law, declares that it is organized for the purpose of the clearance, replanning, reconstruction, or rehabilitation of blighted areas, and the construction or rehabilitation of such industrial, commercial, residential, or public structures as may be appropriate, including provisions for recreational and other facilities incidental or appurtenant thereto.

ARTICLE XIII

The address of the Corporation's initial registered office in the state is 326 Grant Street, Carthage, MO 64836 and the name of its initial registered agent is Nathaniel Dally.

ARTICLE XIV

The private property of the shareholders shall not be subject to the payment of corporate debts to any extent whatsoever.

ARTICLE XV

The Corporation shall indemnify and protect any director, officer, employee or agent of the Corporation, or any person who serves at the request of the Corporation as a director, officer, employee, member, manager, and their respective heirs and legal representatives, by this corporation against all liabilities incurred in connection with any suit or matter in which they are involved by reason of their relationship with this corporation to the extent and in the manner permitted by Section 351.355 of the Revised Statutes of Missouri, as the same presently exists or is hereafter amended.

IN WITNESS WHEREOF, these Articles of Agreement have been signed this ______ day of ____________, 2023.

By: ____
Gregory Dagnan, Incorporator

By:____
Stephanie Howard, Incorporator

By: ____
Jeff Meredith, Incorporator

COUNCIL BILL NO. _________ ORDINANCE NO. ____________

An Ordinance to add Chapter 17 Article 5; Urban Development and Establish the Carthage Redevelopment Corporation in the City of Carthage, Missouri.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI as follows:

SECTION I: The Mayor Shall establish the Carthage Redevelopment Corporation, Inc in accordance with Chapter 353 RSMO. A copy of the proposed Articles of Agreement are attached as Exhibit A.

SECTION II: Eligibility.

E**ligible Areas:** “Blighted areas” in Missouri. For purpose of 353 tax abatement the term “blighted area” is defined as: “an area which, by reason of the predominance of unsanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use.”

SECTION III: Statutory Requirements.

The City must determine that certain requirements have been met before approving a development plan ("353 Plan") filed by the Urban Redevelopment Corporation (URC). These requirements are set forth under 353.020 to 353.150 of the Revised Statutes for the State of Missouri (RSMO).

The following criteria are the minimum standards or thresholds that must be met to qualify for potential benefits under RSMO chapter 353.

1. The project shall occur within an incorporated portion of the City

2. The project must occur on property that is deemed blighted by the City.

3. If the project involves a building(s) deemed historical or contributing to a historic district, the project shall restore the property in a manner faithful to its historical context.

4. The project shall include a minimum level of improvements to the real property (not including inventory, personal property, etc.) and defined as a percentage of the appraised value prior to the start of the project:

a. If involving an existing structure(s), the project must show a minimum investment in improvements to the real property greater than 50%

b. If the project involves new construction, the project must show an investment in improvements to the real property greater than 200%

5. The project shall result in the creation of a minimum number of new jobs or new living units based on the type of project:

a. If a commercial project, at least 3 jobs must be created.

b. If an industrial project, at least 6 jobs must be created.

c. If a residential project, at least 4 new living units must be created.

SECTION IV. Guidance and Policies.

1. Abatements will be structured to apply to the improvements only. Abatements on the base real estate property tax will not be allowed. If the property was not taxable prior to the project, the pre-project assessed value will be established as the base.
2. The City may approve RSMO 353 tax abatements for up to 25 years to encourage redevelopment in blighted areas. During the first 10 years, up to 100% of the incremental increase in real property taxes can be abated. For the next 15 years, up to 50% of the incremental increase in real property taxes can be abated.

    a. The duration of abatements may be shorter than the maximum allowed by law. Criteria for making this determination shall be based on such factors as the magnitude and potential impact of the project as well as the extent the project meets or exceeds the original qualification criteria.

    b. Payment in lieu of taxes ("PILOT") may be imposed on the project by contract to achieve an effective tax abatement that is less than the abatement established by state law. PILOTs are paid on an annual basis to replace all or part of the abated real estate taxes. PILOTs will be allocated to each taxing entity according to their proportionate share of ad valorem taxes.

3. Abatements should not be authorized unless a public benefit results and the abatement can reasonably be expected to reduce or eliminate blight in the area.
4. It is important to seek support from the Jasper County Commission, Carthage School District and other taxing entities for 353 tax abatements on a project-by-project basis.
5. The City is not required to approve any project or extend any benefits and incentives to any plan and reserves the right to deviate from the literal interpretation and application of these policies.
6. Projects granted tax abatements may be required to submit to an annual review, if requested by the City, to ensure that ownership and other qualifying criteria continue to be adequately satisfied.

SECTION V. Submission of Proposed Development Plans.

A. **<u>Formal Letter of Intent</u>**: Any commercial, residential or industrial prospect can submit a Letter of Intent to apply for 353 tax benefits resulting from a proposed investment in a "blighted" area. This should be sent to the attention of the City Clerk or to the contact established in the initial inquiry. At a minimum the letter of intent should include:
    1. Applicant information including name, address, contact phone and email address.

    i. If the applicant is a corporation, provide the corporate headquarter location and a designated representative's contact information.
    ii. If the applicant is a partnership, include information for each member and designate one person to be the primary contact.

2. Property information including the location, current use, applicant's reason for belief the property is blighted, as well as the current ownership status of the property.

3. Project proposal including a plan for development of the property, a tentative project timeline and budget, current and proposed photos and designs of the property, and the type of development (residential or commercial).

    i. If a residential project, provide information such as a proposed rent schedule, the number of units involved, and whether the units are to be occupied by elderly, low income families, market-rate rentals or condominiums.

    ii. If a commercial or retail project, describe the estimated number of post construction jobs this will generate, whether they are full or part time, and the estimated average hourly rate

4. Additional information if the project will result in an existing business or facility to relocate, and why the relocation will benefit the city.

B. **Initial Review**: Upon receipt of a letter of intent, the Mayor and other City representatives will review the proposed project.

1. Whether the preliminary information provided in the letter of intent appears to meet or exceed the Redevelopment Criteria, and

2. If the applicant has made a compelling argument for the property's proposed blighted status, then

3. If the proposed project and location are deemed as potentially qualifying, a City representative will be assigned to assist with:

    i. Preparing a digital and hard copy project folder that includes the letter of intent content and all future information obtained for the project.

    ii. Arrange a meeting with the applicant to review the letter of intent and review the requirements of the formal application.

    iii. Provide written notification to the Jasper County Commission, the Carthage School District, the Carthage Redevelopment Corporation and City of a proposed project that appears to meet the minimum criteria, the estimated investment, type of project, and the number of proposed jobs or residential units.

C. **Formal Application**: For the formal application, a City representative will provide some assistance to the applicant in collecting additional required information for submission to the Carthage Redevelopment Corporation. The goal is to provide enough information to clearly establish the developer's final intent. This includes:

1. Information provided in the original letter of intent (enhanced or improved as needed).
2. Any drawings of renovation plans, plot plans, parking, etc.
3. A legal description of the property.
4. The current property taxes on the property.
    i. If the property is not currently taxed (i.e. city or NFP owned), include an appraisal or contract to purchase that can establish the value of the property and potential property taxes that will be generated in its present state.
5. The estimated appraised value of the property once the project is completed. If the project will be completed in phases, include a timeline of the project including major milestones throughout the construction and development of the property.

SECTION VI. Carthage Redevelopment Corporation Review.

The formal application will be submitted to the CRC for review and evaluation. The CRC is expected to make the following determinations and then meet with the Mayor and City Representatives to review their findings:

1. If the project property is located within the city limits.
2. If the CRC concurs with applicant's belief the property is either blighted or located in a blighted area.
3. If the proposed project meets the goals and requirements of the CRC.
4. Determine the value of the investment if the project proceeds.
5. Recommend a 353 tax abatement schedule with respect to abatement levels and schedule.

SECTION VII. Council hearing and determination.

1. If it is determined the application meets the goals and policies of the CRC and the City, a public hearing before the City Council shall be set.
    a. A notice of hearing shall be advertised in the newspaper of local circulation not more than 21 days and not less than 7 before the hearing or in accordance with the most current state notification law.
    b. A letter will be sent to all taxing entities whose boundaries include any portion of the proposed development property,
    c. All notices must include:
        i. the date, time and place of the hearing
        ii. that comments will be invited.
        iii. a written statement of the impact on ad valorem taxes such tax abatement will have on the political subdivisions (a "tax impact statement"). The tax impact statement must include, at a minimum, an estimate of the amount

of ad valorem tax revenues of each political subdivision that will be affected by the proposed tax abatement

2. At the public hearing any interested person and the applicant corporation may be heard. After the public hearing the council may:
    a. Unconditionally approve the plan and authorize the mayor on behalf of the city to enter into a redevelopment agreement with the corporation.
    b. Approve the plan subject to conditions or restrictions and authorize the mayor on behalf of the city to enter into a redevelopment agreement with the corporation.
    c. Require the corporation to make changes in the plan for resubmission to the council.
    d. Disapprove the plan.
3. If the plan is approved, the council may adopt the plan by ordinance which may also incorporate the redevelopment agreement between the city and the corporation regarding the implementation of the plan.

SECTION VIII. Post Hearing.

1. After the public hearing, the municipality may approve a development plan by ordinance. No tax abatement available under a development plan will be permitted until:
    a. the developer enters into a redevelopment agreement with the municipality describing the terms and conditions of the abatement and
    b. title to the property at issue passes to the CRC so deed restrictions can be applied binding the property and development to the terms of the development plan before deeding it back to the developer.
    c. Amendment of plan if the city council approves a development plan, that plan shall not thereafter be amended without the consent of the corporation which proposed the approved plan.

SECTION IX: This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS ____ DAY OF ______________________, 2023.

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MAYOR

ATTEST:

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CITY CLERK