In This Issue:

- The Harrisonville Highways 71 / 291 TDD
- 45th Annual MML Legislative Conference
- Site Preparedness
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A fresh chapter in the growth of Belton opens as the new Community and Economic Development Department completes its first year in operation. The Department was created by the City Council last year to place responsibility for the development of Belton’s business community in-house by aligning it with the Community Development Department; thus, creating the Community and Economic Development Department. The move streamlines the development process with a single point of contact, from the initial meeting through permitting.

The new department has focused on improving business outreach and creating alliances. Every effort is made to promote Belton as the city of choice for new development by marketing to the Kansas City metropolitan area, the nation and the globe. A first-class online presence has been established through the creation of the economic development website; www.belton.org/ecodevo. This presence drastically expands the reach of the City’s efforts with local business and site selectors. To foster a competitive advantage, Belton has joined as investor partners with the Kansas City Area Development Council with the belief that a regional approach is necessary to recruit primary jobs. City leaders are optimistic that this change in philosophy and strategy will build a strong and diversified local economy.

The city of Belton is poised for success and continued growth due to its advantageous location in the Kansas City metropolitan area. Only 17 miles south of Kansas City, Missouri, on one of the newest stretches of interstate in the nation, Interstate 49, everything from major league sports to world-class shopping and dining are minutes away. In fact, I-49’s new interstate status has a direct correlation to Belton’s recent commercial growth.

**Commercial Boom**

Academy Sports and Outdoors greets Belton residents and visitors from its newest location on Markey Parkway as they exit the newly constructed interchange at I-49 and 163rd Street. Academy Sports is the first tenant to open in Belton Gateway, a new 47-acre, $70 million, mixed-use retail complex. Future development includes an additional 174,000 square feet for retailers, restaurants and a proposed hotel. Due to the strategic positioning and the high visibility from I-49, with a current estimated traffic count of 85,000 vehicles per day, the area is receiving tremendous interest from national retailers.

Additionally, Menards has purchased ground on Markey Parkway for a new store to be under construction by the summer of 2015, with an anticipated opening in January 2016. The Menards site plan includes six outlots for sale that also are attracting attention from national retailers. Just up the Parkway is Belton’s newest commercial addition, the Pavilions of Belton. This development is in the preliminary planning stages and features direct I-49 frontage.

**Creation of Belton-Cass Regional TDD**

The key to this significant commercial growth is due to the construction of the City’s all-new Markey Parkway; a new four-lane road. Recognizing the opportunity of I-49 frontage and raw, undeveloped land between the interstate, another major retail development and two interchanges, Belton decided to take a strategic approach. The City, with assistance from the county...
and coordination of the landowner, created the Belton-Cass Regional Transportation Development District (TDD) for the sole purpose of funding this project. The momentum originated from a commitment to business growth within city and county leadership.

The Belton-Cass Regional TDD is in an established area with a meaningful history of retail sales. The boundaries are large and the project is constructed in multiple phases. The City was willing to advance funds for certain street improvements, with the understanding that it would be reimbursed later, at the time of the bond issuance. Short-term bonds were strategically used to kick-start the project, facilitating the engineering of the Parkway. The long-term bonds were issued via direct placement and provided the TDD with more favorable borrowing costs. The use of financial advisor, Piper Jaffray & Co., allowed the TDD to consider various financing options and provided a higher level of transparency to the bond issue process.

CONSTRUCTING MARKEY PARKWAY: IN PHASES

Markey Parkway is a long-term transportation project, being constructed in phases. Phase 3, past the future site of Menards, is nearing completion and is expected to be open to traffic in January 2015. This phase connects Markey Parkway from 163rd St./Route Y to Mullen Rd. at Route 58. Also included in this phase of the project is the extension of Towne Center Drive that now connects between Kohl’s and Target and intersects at the Parkway. In addition to the commercial benefits, the Parkway and Town Center Drive will improve the safety and welfare of residents and visitors by creating new traffic patterns, lessening the congestion on Route 58. Consistent with the Belton Trails Master Plan, the Parkway will eventually include an extension of trail and sidewalk systems, further connecting the community.

Future phases will create a more efficient roadway system by increasing connectivity throughout the City. The next phase is already in planning stages and will make the connection to North Scott Ave. It is anticipated that this connectivity will catalyze redevelopment in this important older section of town. Beyond that, Belton’s long-term plans envision Markey Parkway eventually connecting the interchanges of 163rd St. and North Cass Parkway along I-49. North Cass Parkway is a $10.1 million dollar interchange project that opened in July 2010 and is a blank slate for development. The importance of Markey Parkway cannot be overstated as it changes the landscape of Belton’s commercial core and connects the old with the new.

REVITALIZING AND CONNECTING THE CITY: NORTH SCOTT CORRIDOR

The North Scott corridor has been a vital part of Belton’s economy in the past. However, today, the City is left with an aged-commercial corridor mixed with a variety of land uses, many of which are not compatible with newer commercial uses. Though it will take years of careful planning and coordination, city leadership is committed to the regeneration and revitalization of North Scott and has contracted with Confluence, a landscape architecture, planning and urban design consultant, to update the City’s plan for the corridor.

The revitalization of the North Scott corridor is critical to Belton’s growth. Its connection to I-49 via the soon-to-be reconstructed 155th St. Interchange and its eventual connection to Markey Parkway (the next phase), North Scott has the potential to be a significant area of redevelopment.

REINVENTING A GATEWAY: 155TH ST. INTERCHANGE

To accommodate future growth in residential population, the growing volume of traffic on I-49 and the increased truck traffic from the backside of CenterPoint Intermodal, the 155th St. interchange will be reconstructed by the Missouri Department of Transportation. Construction is anticipated to begin in early 2016. Significant reconstruction of 155th St. is planned to complement MoDOT’s interchange replacement. 155th St. will be widened to the east, with costs shared between Belton and Grandview and to the west, with costs shared between KCMO and the Port Authority of Kansas City. Upon completion, these projects will reinvent the gateway to Belton.

PLANNING FOR GROWTH: LARGEST WATER TOWER IN MISSOURI

Belton is committed to responsible growth. The citizens of Belton approved revenue bonds to construct a new 3-million-gallon water tower. This water tower is 112 feet tall; the bowl at the top is 110 feet in diameter; and the pedestal is about 60 feet in diameter. This will be the largest water tower in the state of Missouri, due to its volume. The City was successful in securing low-interest loans from the state that will save millions of dollars in interest.
expenses over the next 20 years. Belton has planned and is ready for new development!

**OPPORTUNITY KNOCKS**

Between 2000 and 2010, Cass County saw a growth rate of 21 percent (source: Mid America Regional Council, Regional Workforce Intelligence Network). Cass County’s population forecast projects growth of 60 percent by 2040, according to Jeff Pinkerton, of MARC. Belton is the gateway to Cass County and is well-positioned and prepared for such growth.

Businesses and families establish themselves in communities where people want to live. High-quality parks contribute to an excellent quality of life, spurring economic development by attracting homebuyers and boosting residential property values. Belton knows firsthand the importance of a strong park system. Parks are an essential component of its infrastructure. The community supports seven parks, including a 59,000-square-foot wellness center with more than 11,000 members, an outdoor water park, and the area’s first all-inclusive public playground for children of all ages and abilities. In 2013, the park added Memorial Station, a state-of-the-art events building nestled in the heart of historic Memorial Park. This facility has become a gathering place for the community.

The most recent addition to the park system is Cleveland Lake that was completed in 2014 and serves a dual function. This project is part of the Storm Water Master Plan and was engineered for the purpose of being a major storm water feature. It includes a one-mile asphalt walking trail system, two boardwalks, three fishing jetties and a boat ramp for citizens, adding leisure and recreational facilities for public use. Belton is making every effort to attract future residents.

**CONCLUSION**

Belton’s new structure for economic development has enabled a streamlined approach to improve development outcomes. Strategic partnerships and forward-thinking city leadership puts the community on a path to continued growth and success.

*Carmen Yatsook* has been a city of Belton employee since 2007 and now holds the title of Economic Development Specialist; a newly created position. She performs a wide variety of administrative duties, statistical research assignments, promotion of the City through the development of marketing materials and the establishment and maintenance of the City’s new economic development website. She has a Bachelor of Arts degree from the University of Kansas and is currently enrolled in The University of Oklahoma’s Economic Development Institute (OUEDI). She can be reached at 816-331-4331 or cyatsook@belton.org.

Quik’n Tasty, a distribution center for QuikTrip convenience stores, is Belton’s largest employer with just under 1,000 employees.
THE HARRISONVILLE HIGHWAYS 71/291
TRANSPORTATION DEVELOPMENT DISTRICT:
COOPERATING TO FUND TRANSPORTATION IMPROVEMENTS

by David Bushek

The Harrisonville Highways 71/291 Partnership in Progress Transportation Development District (TDD) serves as a model of cooperation among municipal officials, property owners, business owners and state transportation officials to plan, design, fund and construct major improvements to federal interstate, state highway and local arterial roads. The TDD in Harrisonville, Missouri, is unique because it involves a large area, many property owners, many existing retail businesses, and the imposition of a sales tax to address traffic deficiencies and capacity issues for a transportation network that serves as the backbone of a city and a region. Other Missouri municipalities that seek to fund transportation improvements could benefit from duplicating the success Harrisonville realized through the use of transportation development districting.

The city of Harrisonville has a population of around 10,000 that occupies approximately 10 square miles located 37 miles south of the Kansas City metropolitan area. Interstate 49 (State Route 71) and State Routes 7 and 291 intersect in Harrisonville, and the I-49/Route 291 interchange serves as a primary point of access to Harrisonville and southern Cass County from Kansas City. This interchange is also a primary route for weekend and vacation traffic between the Kansas City area and the Lake of the Ozarks.

Traffic is particularly heavy at peak-travel times on summer weekends, and Lake-bound traffic can inundate Harrisonville on Friday evenings. Traffic turning south toward the Lake area typically backs up along Route 291 in front of many of the primary commercial properties in town. Traffic studies document that the interchange and surrounding commercial roads experience significant congestion, backups and a high-accident rate as a result of high-traffic volumes. The current accident rate in this area is three times higher than the state average for similar areas.

To address this problem, Harrisonville officials took steps to form a special district that would serve as a source of funding for transportation improvements. The district would also serve as a mechanism for property and business owners in the City to have significant input regarding the design and scope of the improvements. However, the decision to form the district was not without some risk to the City, as the district would become an independent political subdivision of the state, controlling its own revenues and making its own decisions regarding how the funds would be spent. Cooperation between the City and the TDD would be the key to making this effort succeed.

TDD FORMATION AND THE SALES TAX ELECTION
Harrisonville took the initiative to form the TDD in 2008. The City filed a petition in Cass County Circuit Court requesting that a district encompassing approximately 182 acres be formed for the purpose of imposing an extra sales tax on retail businesses along Route 291 and along the primary east-west arterial road that leads to the interchange. After addressing minor opposition to formation in court, an election was conducted among the property owners within the district in November 2008 on the question of whether the district should be formed. The property owners were the qualified voters in the election because there were no registered voters who resided within the district boundaries. The ballot question passed and the district was formed.

After formation, the property owners within the TDD area held a court-directed meeting to elect the initial board of directors. In accordance with the TDD act, each property owner within the district that cast a vote for director positions was allowed one vote per acre of property owned within the district. Seven directors were elected, and the TDD commenced operations.

The purpose of the TDD is to impose a sales tax and expend the revenues on the road improvements. The board of directors held discussions with City staff regarding the most appropriate sales tax rate. According to the petition and court order, the
Phase 1 of the TDD’s road projects consists of major improvements to the I-49 / Route 291 interchange and improvements to roads that feed into the interchange.

The TDD’s sales tax generated approximately $1 million during the first 12-month period after the tax went into effect. The initial few years of the district sales tax occurred during the primary years of the great recession that began around 2008; as a result, sales growth was relatively flat during the first few years of the sales tax. There has been a gradual but slight increase in sales in the district since 2012.

DISTRICT MANAGEMENT AND OPERATIONS

Each of the seven TDD directors is a representative of an entity that owns property or a business within the TDD area. There are around 50 property owners in the TDD area among approximately 60 land parcels, and there are approximately 70 retail businesses in operation in the TDD area. The directors represent the divergent interests of the community, but have maintained a common goal of making fair and cost-conscious decisions regarding the road improvements funded by the TDD. The TDD has benefitted from board member continuity, and the majority of the directors who are still on the board today were original directors elected in 2009.

The TDD has no employees. The TDD has engaged general legal counsel, who work closely with the directors and city staff to set TDD meetings, prepare district documents, negotiate contracts, prepare annual reports, coordinate with city and Missouri Department of Transportation (MoDOT) staff, coordinate for expenditure of the district’s revenues, and carry out district contracts regarding district operations, road design, land acquisition, demolition, environmental studies, and road construction.

COORDINATION AND COOPERATION

The City and the TDD have entered into a cooperative agreement that establishes the primary relationship between the entities. The agreement provides that the City’s finance department receives and manages district sales tax revenues that are remitted from the department of revenue as a result of the TDD sales tax. As the TDD board of directors approves the payment of bills, the City’s finance department staff makes the appropriate payments from TDD revenues. This ensures safe fund management and accounting, and takes advantage of city staff’s expertise. Financial records of the district are maintained by city staff, and the TDD’s legal counsel maintains all other records of the district.

Coordination with city staff has allowed the TDD to keep its operational expenses down, and in many ways city staff has functioned as the de facto staff for the TDD through this cooperative arrangement. The city manager, the city public works director and assistant public works director, the city engineer, the mayor and other city officials have attended TDD board meetings to assist with the selection of engineering consultants; evaluation of planning and road design issues; the negotiation of contracts with the state; and making decisions regarding use of the TDD’s revenues. City staff has issued requests for proposals on behalf of the TDD after board of director approval, using the City’s form of documents with TDD input, for such items as the demolition of a building to allow for road construction and the selection of a company to perform electric utility relocation work.

ROAD PROJECTS

Phase 1 of the TDD’s road projects consists of major improvements to the I-49 / Route 291 interchange, and improvements to primary arterial roads and selected secondary connector roads that feed into the interchange. The TDD selected and directly contracted with the engineering firm that has prepared the plans for the Phase 1 road improvements. The total cost of the planning study and engineering design work for Phase 1 was approximately $1.5 million that was funded exclusively from TDD sales tax revenues and without the need to issue debt. City staff and the TDD board worked closely throughout the design process to make decisions regarding major and minor design issues. The city engineer and city public works director were instrumental in working through particular drainage and access issues with the engineering consultant and MoDOT staff as they arose during the design period.

The total amount of the Phase 1 construction contract was about $13.7 million. Funding for the Phase
1 improvements was a combination of $5 million from MoDOT funds ($3.7 million state cost share funds and $1.3 million MoDOT local district funds), $2 million from federal Surface Transportation Planning funds awarded by the Mid-America Regional Council, and the remainder funded by the TDD. This state and local funding mix for the Phase 1 improvements has allowed the TDD and the City to successfully leverage significant state funding as the result of the sales tax revenues generated by the TDD. The TDD issued its first series of bonds in March 2014 in the principal amount of about $6.9 million to cover the local portion of the construction contract and related costs. Phase 1 construction has commenced, and is expected to be completed by late fall 2015.

One unique aspect of the new I-49/Route 291 interchange is a “diverging diamond” design using a dual-bridge system. This configuration moves traffic to what American drivers would consider “the other side of the road” as traffic crosses the bridge that facilitates smooth and continuous left-turn movements from the highway onto the interstate. The TDD board and city staff considered many design options and engaged in significant deliberation before finally selecting the diverging-diamond design. This design has been used successfully in other locations in the state, most notably at the Highway 13/Interstate 44 interchange in northern Springfield, Missouri. This design will be particularly helpful in easing congestion resulting from Lake-bound traffic during peak travel times in the summer.

Recent discussions at TDD meetings have focused on Phase 2 of the road improvements that would expand and improve Highway 291 from the end-point of the Phase 1 improvements to the northern city limits. The TDD has already expended funds for the initial design of the Phase 2 improvements, and the remaining design through final plans needs to be completed. The projected construction costs are planned to be funded by $2.3 million in state cost share funds, $1.1 million in STP funding, $500,000 from MoDOT funds, and the remainder funded by the TDD revenues. This funding mix will again allow the City and TDD to leverage significant state and federal dollars as the result of the TDD sales tax.

**Conclusion**

The Harrisonville Highways 71/291 Partners In Progress TDD has served as a successful method of coordinating the interests of the City and local businesses to generate funds for the construction of significant arterial traffic improvements that will have long-lasting benefits for the community and the region. Cooperation between the City and the TDD has allowed the community to leverage significant state funding from new local sales tax revenues. The use of a transportation development district covering a large area and many pre-existing businesses is not common in Missouri. This district serves as a model that other communities could replicate to fund improvements that address existing transportation deficiencies for the benefit of an entire community.

David Bushek is a Shareholder with Gilmore & Bell, P.C., in Kansas City, Missouri, and serves as general legal counsel to the Harrisonville TDD. He can be reached at dbushek@gilmorebell.com or 816.221-1000.
Join fellow local leaders from across the state at the MML Legislative Conference to share information, learn about legislative issues, and visit with state legislators. The Conference will provide you with a unique opportunity to:

♦ Learn more about the issues pending in the Legislature;
♦ Participate in discussions with legislators and peers on a wide range of municipal issues;
♦ Visit informally with Senators and Representatives during the legislative reception;
♦ Hear first-hand from invited state officials and learn more about their programs and how they will affect your city.
REGISTRATION: $130 per person; includes reception and breakfast.

- All registrations to be made online, regardless of payment option.

- For those who need to pay by check, please select the “Bill Me” option for your payment method. When you have completed the registration process, you may print off an invoice to submit with your payment and confirmation for your registration.

Online Registration Link, or visit MML Conferences at www.mocities.com.

HOTEL RESERVATIONS: The conference room block is currently open and will close on January 9, 2015. Please make room reservations directly with the Capitol Plaza by calling 1-800-338-8088. Reservations can also be made online by visiting their website and using the group access code. Their website can be found at www.capitolplazajeffersoncity.com and the group access code is 150209MIS. (Additional rooms have been reserved at the Baymont Inn & Suites, across the street from the Capitol Plaza Hotel, call 573-636-5231 for reservations.)

CANCELLATIONS: Received by February 4, 2015, will receive a full refund. No refunds can be made after that date.

If you have any questions please call the League’s office at 573-635-9134.

Places to Dine in Jefferson City (Please call for reservations for your delegation.)

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<td>2125 Missouri Blvd.</td>
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<td>Applebee’s</td>
<td>2319 Missouri Blvd.</td>
<td>636-6368</td>
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<td>Arris’ Bistro</td>
<td>409 W. Miller St.</td>
<td>634-8400</td>
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<td>Bingham’s-Truman Hotel</td>
<td>1510 Jefferson</td>
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<td>Bones</td>
<td>210 Commercial St.</td>
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<td>Chili’s</td>
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<td>761-4765</td>
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<td>Colton’s Steak House and Grill</td>
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<td>Das Stein Haus</td>
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<td>Domenico’s Italian Restaurant</td>
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<td>Hunan’s</td>
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<td>Longhorn Steakhouse</td>
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<td>Madison’s Café</td>
<td>216 Madison</td>
<td>634-2988</td>
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<td>O’ Donoghue’s Steak &amp; Seafood</td>
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<td>635-1332</td>
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<td>Prison Brews</td>
<td>305 Ash Street</td>
<td>635-0678</td>
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<td>Red Lobster</td>
<td>3519 Country Club Drive</td>
<td>635-6737</td>
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<td>Ria’s</td>
<td>3550 W. Edgewood Dr.</td>
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<td>Sapphire’s - Doubletree Hotel</td>
<td>422 Monroe St.</td>
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SITE PREPAREDNESS: CREATING RELEVANCE

By Courtney Dunbar

It has been stated that the largest crisis in economic development today is irrelevance. Irrelevance: not good, not bad, just simply, unnoticed.

If the antonym to “irrelevance” is “uniqueness,” then the litmus test to being noticed becomes, “What does my community offer that sets it apart and makes it relevant for industrial development?”

I’m going to let you in on a little secret . . . one that is kept far too well. Read on.

The average American will state that the largest capital investment they will make in their lifetime will be their homes. Now, if you own a home, consider all of the diligence you underwent in making the decision to purchase. You likely checked the school district, the transportation routes to areas of personal significance, the condition of the home, the suitability of the property, the property tax rates, and the proximity to services.

Now, consider industrial prospects. Instead of purchasing a home, they are making multi-million or multi-billion dollar capital investments when they invest in a site. The products they produce require significant infrastructure support and capacity. Labor matters. Roads matter. Rail matters. Zoning matters. Other analytical, site preparedness items matter. Timeliness to market is paramount. An underestimation of a site’s ability to serve specific industrial needs can result in catastrophic outcomes, including closures, layoffs or worse.

Here’s the secret: The best marketing you can do as an economic developer is to thoroughly assess and plan your industrial sites. Companies simply cannot afford to take a risk that “maybe this site can serve” or “we think we can obtain property control.” Risk avoidance in the form of industrial site preparedness is crucial to site selection decisions. Communities must be able to fully explain the functionality of their site inventory to effectively compete for industrial development.

Here’s the problem: When a site selector or end user is looking for a new site, much of the information necessary for them to begin their search is done on the Internet, without you ever knowing that they inquired. Economic developers spend a good amount of time creating a story that will sell their communities and sites, but, shockingly, few have robust, site-specific infrastructure information available for these seekers.

Considering that company profits hinge on site-specific attributes such as input availability, time-to-production and exchange and proximity to markets, ready access to this information should be a top priority for economic developers.

Site selection has evolved considerably over the last few decades. Highly specialized equipment and telecommunications advancements have led to unique siting requirements for the majority of end users. Rarely does a one-size-fits-all approach to site development work for today’s modern industrial company. As many as 75 different site and community attributes may be requested for initial diligence in site selection decisions, all with the intention of efficiently identifying risk-to-development factors. Site preparedness should be seen not only as a means to attracting an enduser, but as a means for playing the economic development game intelligently.

The benefits of site preparedness are vast and provide benefits locally, beyond simply serving as a tool for economic development marketing. Here are a few local benefits to consider:

Streamlined Industrial Targeting: A community cannot effectively develop a plan to target market industrial segments without understanding if the sites within their communities can adequately serve company infrastructure demands. Site preparedness allows a community to understand their natural assets and mitigate uncovered deficiencies so that they can align likely user groups to sites that make sense for optimal industrial development types. Companies make decisions based upon a lower production cost on their chosen site compared to any other site. Since production costs are a primary reason for a site decision, it is wise for economic developers to effectively target industrial segments for which the community and site can provide a natural advantage.

Capital Improvements

Budgeting: Economic development is most often a public/private partnership that requires an investment of dollars to build infrastructure that serves industrial sites. To make the case to county boards, city councils and other elected officials that these funds should be designated for economic development growth, it certainly helps to understand why . . . Why this site? Why this capacity? Why this timeline?
To invest in site readiness without a plan is risky for the longevity of public officials and the job of the economic developer. Industrial absorption rates are historically slower than retail and commercial. Industrial infrastructure needs are more stringent and costly. However, the ability to provide a solid plan for logical infrastructure phasing is necessary to mitigate risk in the eyes of a prospective end user. A solid plan mitigates political risk and encourages readiness actions.

**Incentives Negotiation:** Recently, a client was looking to invest nearly $500 million on a site in the Midwest. It was discovered that nearly $1 million would be made available in working capital (cash) incentive to the company, among other tax and workforce incentives. As part of the underwriting of the site, it was discovered that the department of transportation within the state would require an additional turn lane for access. Designing and permitting a turn lane off of a state highway is approximately a nine-month process. In addition, the company would need to thoroughly assess water availability, volume and pressure to assure compatibility with their production needs, posing the need for an assessment that would also take several months to complete. The math proved that if this company were to be delayed in time-to-production due to permitting issues or undiscovered infrastructure capacity deficiencies, $1 million would be eaten up in lost profitability in less than one week. One week. Site preparedness assists communities in crafting incentive packages that truly add to the bottom line profitability of the companies they are courting. In this instance, funding to assist in turn-lane design and a water study impacted the bottom-line profits, well-beyond what the working capital investment would have provided. Smart site preparedness allows communities to anticipate and to make wise incentive decisions.

**Industrial Company Protection:**
Local planning and zoning policies often provide little protection for industrial companies. In many instances, future land use maps reserve peripheral, low-resource land tracts for industrial uses. The zoning code that governs these areas allows for a variety of uses, some of which could be detrimental to industrial companies. Land use laws provide the highest level of protection to residential, commercial and retail areas with industrial receiving the least protection. Noise, smells, dust and other normal aspects of industrial production could cause operational shut-downs due to encroachment of incompatible uses. Consider this: industrial companies often provide the highest levels of local, taxable capital investment and jobs, have the least zoning protection, and can be forced out of production due to encroachment of incompatible peripheral developments. Protection for industrial companies through site-preparedness tasks are necessary steps in mitigating risk to production.

**Industrial Tract Optimization:** A crucial aspect of site preparedness is the master planning of industrial tracts. Master planning is a preferred method to platting as plans are technically sound, yet considerably more fluid than a registered plat. Master plans allow users to visualize the intended design of an industrial park, but have options to join lots to create additional spaces. These plans effectively accommodate drainage, access and other easement issues while allowing for optimization of tract development.

Many communities choose to take site preparedness to an accelerated level of site certification. Certification programs vary nationally and are offered by private companies or governmental entities. Communities taking the site preparedness steps necessary to achieve certification are absolutely elevating the marketability of their site inventory, leading to quality jobs and capital investment critical to community quality of place. Receipt of certification for industrial sites provides a sense of confidence in crucial site attributes for site selectors and end users.

**Conclusion**
Site selection decisions are largely made by determining that the costs to produce are less and the bottom-line profits will be more in the chosen location than anywhere else. Undergoing site preparedness exercises to assess attributes, mitigate deficiencies and organize tracts for optimum efficiency is crucial to successfully creating the relevance necessary to attract new industrial investment.

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www.mocities.com  The Missouri Municipal Review  January 2015 / 13
Often, it is the unknown environmental condition of a property that dissuades developers. These sites are called Brownfields. The Missouri Department of Natural Resources (DNR) can help you determine Brownfield sites that may need to have an environmental assessment and provide valuable information to aid in making decisions regarding the future use of the property.

The environmental assessment can help determine if contamination is present, and to some degree, the extent of the contamination present at a property. The assessment provides answers to many of the questions regarding potential cleanup costs and environmental liability associated with brownfield properties.

Potential buyers and redevelopers of a brownfield may reduce their liability if the appropriate environmental site assessments are performed prior to purchase. An environmental site assessment conducted in an appropriate manner gives the purchaser certain protections from liability under the federal Superfund Law.

The DNR Brownfields/Voluntary Cleanup Program conducts brownfield site-specific assessments of properties for public entities such as cities, counties and quasi-governmental entities, as well as for not-for-profit organizations at no cost to the applicant or the property owner. Often, local governments acquire contaminated properties through foreclosure for back taxes, land donations or may own property they would like to sell for redevelopment purposes. The DNR site-specific assessment program provides funding and technical assistance to help communities assess properties.

For more information about the Missouri Department of Natural Resources Brownfields/Voluntary Cleanup Program, contact Catherine Jones at 573-526-4725 or MissouriBrownfields@dnr.mo.gov.
MISSOURI HAZARDOUS SUBSTANCE SITE LOCATOR MAP

The Missouri Department of Natural Resources has made available a new locator map that allows users to conduct a web-based search for hazardous substance investigations and cleanups within a specific municipality or area. Users may click on a location to review site information and link to other documents available from DNR. In the future, many of the completed sites will have information about the redevelopment of the site in the form of a success story.

For those municipalities with their own maps, the downloadable data layers are also readily available. The permitting, planning and development departments of the local municipalities can benefit from this information. DNR encourages the utilization of these map layers to help incorporate the information in the review of environmental activity and use limitations, and during all planning activities.

The map currently contains Superfund sites, Federal Facilities sites, Resource Conservation and Recovery Act Corrective Action sites, and Brownfields/Voluntary Cleanup Program sites. Future layers will include information about tank sites.

The information can be useful in many ways:
- The redevelopment/success story information (currently available on the DNR website but not yet linked to the map) can be useful in highlighting the efforts of your municipality. They help to identify jobs created, acres cleaned, contaminants remediated, assistance provided (grants, loans, etc.) and other types of positive information.
- The map can be useful in helping to identify required disclosure notice information for impending real estate transactions.
- It is a good way to double check to see that environmental covenants are filed in the chain of title as required and not just in a separate file in the courthouse.
- Users can quickly obtain information about a particular site in a community without having to call DNR.
- The map will show areas and properties in a municipality that are NOT being addressed by DNR – identifying areas that have unknown environmental issues such as Brownfields and may need to have environmental assessments conducted prior to revitalization and redevelopment.

For more information about the Missouri Hazardous Substance Site Locator Map, contact the Long-Term Stewardship Unit at 573-526-8913 or MissouriBrownfields@dnr.mo.gov.
CANTON'S RIVER REVITALIZATION PROJECT

Community Development Block Grants (CDBG) have assisted with redevelopment of the river near Canton, Missouri. Blighted properties, enrolled in the Missouri Department of Natural Resources’ Brownfields Voluntary Cleanup Program, are now providing income returns and recreation to residents of Lewis County.

The Ursa Farmer’s Co-op, based in Ursa, Illinois, has more than 2,000 members; 400 of them were Missouri farmers. The quickest way to get Missouri’s grain across the Mississippi river to the terminal in Meyer, Illinois, was to ferry the trucks across, even with extended waits in line during the peak season. After a ferry capsized with two grain trucks aboard, killing two people, farmers began hauling their grain to the nearest bridge over the Mississippi. However, this greatly increased the cost of moving product and decreased net income. This project was established to build a grain elevator and barge-loading facility on the Missouri side of the river in Canton.

The Lewis County Industrial Development Authority applied for and received a Community Development Block Grant for almost $2 million to purchase ten blighted properties and buildings considered health hazards and clean them up or demolish them to make room for the new grain elevator and other community development opportunities.

CONTAMINANTS

Ten different properties were enrolled in the Brownfields Voluntary Cleanup program. After assessments, only six required remediation. Contaminants included lead-based paint, asbestos-containing materials and other contaminants included barrels of unknown substances that were removed.

Assistance included:
• CDBG grant $1,990,000 – to clear the blighted properties.
• Lewis County IDA - $10,000 matching grant.
• DNR $200,000 in potential circuit court injunctions/fines forgiven when the blighted properties were forgiven.

• MoDOT grant $159,652 for a levy walk and observation deck along the riverfront.
• Canton Tourism Commission $40,000, a 20 percent match for the MoDOT grant.
• Audubon Society Technical Assistance for a 2,000-foot nature walking trail.

INVESTMENTS AND RESULTS

Co-op officials have indicated that the $11.5 million investment in the new elevator now makes the storage and distribution of grain faster which helps them better compete in the market. They have hired eight full-time and six seasonal employees in Canton. Production has increased from four million bushels before the new elevator to more than 6 million bushels in 2013.

COMMUNITY / ENVIRONMENTAL RETURNS

The Canton Tourism Commission took advantage of the newly cleaned up property to build a wetland educational walking trail, a levy walk and an observation deck overlooking the river. Technical assistance from the Audubon Society and a grant from the Missouri Department of Transportation made the trail possible.

The Observation Tower was built atop an existing concrete building formerly used by the local water company. The tower, and its “Seagull in Flight” designed roof, has turned an eyesore concrete building into a destination location.

Culver-Stockton College helped clean out and record the historical records of a former train station, one of the blighted buildings. They have included a tour of the building in their recent homecoming activities to promote the building and its future opportunity as a museum, winery or other asset to the community.

The hazardous buildings, formerly located near the local K-12 school, have been removed and the property is now clean and vacant. The property is no longer a temptation to the students wanting to play on or around the hazardous materials, and may serve as additional parking for future school events.

Missouri Life Magazine selected Canton as a stopping point on their first-ever bicycle tour in June 2015. The newly cleared and cleaned properties will be used for event parking, camping, and musical performances.

For more information, contact the Missouri Department of Natural Resources Brownfields / Voluntary Cleanup Program at MissouriBrownfields@dnr.mo.gov.
The manufacturing sector, particularly the automotive manufacturing industry, has a long, rich history in the Show-Me state. Going back to 1897, when the St. Louis Gasoline Engine Company manufactured some of the first gas engines, Missouri has been home to highly-productive automotive plants and an exceptionally-skilled automotive workforce. Oftentimes the lifeblood of communities, these plants helped keep the heartbeat of Missouri’s manufacturing sector alive.

However, when the automotive industry hit a speed bump in the mid-2000s, Missouri was not spared from the global decline. By 2009, Missouri’s auto manufacturing jobs had declined by 35 percent and several major automotive assembly plants were closed. The effects of this were evident in communities across the state, where once-bustling towns were now dominated by quiet streets and shuttered businesses.

**REVIVING UP**

In 2009, Gov. Nixon established an Automotive Task Force charged with identifying ways to bring Missouri’s auto manufacturing sector back to life. The following year, after working closely with the legislature, labor unions and auto industry leaders, the Missouri Manufacturing Jobs Act was signed into law.

The act brought dramatic results. First came Ford’s October 2011 announcement of $1.1 billion in new investments; its plan to create 1,600 new jobs at its Kansas City assembly plant; adding a second production shift for the F-150; and bringing production of the Transit van to America for the first time. Ford’s announcement was followed less than two weeks later with the unveiling of General Motors’ plan to invest $380 million in its Wentzville Assembly Plant, creating 1,660 new jobs to build the Chevrolet Colorado.

**ACCELERATING GROWTH**

That was just the beginning. Historic investments by Ford and GM created a domino effect on Missouri’s auto industry, with automotive plant and after-market product suppliers also launching expansions across the state. These expansions brought positive benefits that revived not only the auto sector but also the towns that housed them. Troy, Toyota Bodine invested $3M and brought 35 new jobs to town. In Carthage, Leggett & Platt pumped $5.1M into its Flex-O-Lators facility and created 12 new jobs to produce the additional seating components necessary to keep up with the ramped-up demand by local manufacturers.

International suppliers took note of Missouri’s surging automotive industry, establishing new domestic facilities. Expansions were announced by a Chinese company, Yanfeng USA Automotive Trim Systems ($45M investment, 263 new jobs in Riverside); Spain-based Grupo Antolin North America ($15.7M investment, 118 new jobs in Kansas City); and Martinrea Riverside LLC, headquartered in Canada (290 new jobs in Riverside).

Ford and General Motors were not quite done investing in the Show-Me state. In June 2013, GM announced an additional $133 million investment in Wentzville to add a third stamping press and expanded again in September 2014 when it announced plans to add a third shift and 750 new jobs. Ford followed suit and announced plans to add a second shift to build the all-new Transit van, adding 1,200 jobs in Kansas City.

**THE ROAD AHEAD**

The revitalization of Missouri’s auto industry is on the upswing, and people are taking notice of the automotive innovations rolling out of the Show-Me state. This past fall, the 2015 Chevrolet Colorado, manufactured in Wentzville, was named the 2015 MOTOR TREND Truck of the Year. The economic impact of this Missouri industry is growing. A recent report released by the Missouri Department of Economic Development.
Economic Research and Information Center found that the expected cumulative contribution from 2010 to 2015 of the retained/new jobs and capital investments made in the automotive industry over the six-year period would support 35,146 jobs by 2015. These jobs and spending would cumulatively support $8.7 billion in personal income and $15.4 billion in gross domestic product over the six years. To view the full report, visit www.missourieconomy.org/pdfs/AutoEcoIMPACT_10_21_14.pdf.

Missouri’s competitive business environment and central location, combined with the skills of a top-notch workforce, continue to position the state as a premier destination for automotive manufacturing, ensuring Missouri’s success in the automotive industry for generations to come.

To view an interactive timeline detailing Missouri’s automotive resurgence, visit www.governor.mo.gov/auto.

Historic investments by Ford and GM have created a domino effect on Missouri’s auto industry, with automotive plant and after-market product suppliers also launching expansions across the state.

Contact the Missouri Department of Economic Development at www.ded.mo.gov or 573-751-4982.
**HOW LOCAL GOVERNMENTS ARE (OR AREN'T) EXAMINING ECONOMIC DEVELOPMENT DOLLARS**

by Mike Maciag

A new survey provides a detailed portrait of how local governments use business incentives, finding many lack basic accountability measures.

Just how effective tax breaks and other incentives are at boosting economic development is a crucial question states and localities should answer when they look to expand or renew programs.

Yet the extent to which local governments actually scrutinize economic development programs varies greatly, and many remain without basic accountability measures.

Most published research focuses on tax incentives at the state level, where the largest packages are typically awarded. A new nationwide survey by the International City/County Management Association (ICMA), though, provides a detailed portrait of how local governments use business incentives and employ accountability measures.

For the most part, the survey of about 1,200 local governments and agencies suggests they are taking measures that, if done correctly, will help to ensure better returns on investment. Three-quarters of survey respondents reported measuring the effectiveness of business incentives, while 73 percent conducted cost-benefit analyses.

A smaller share (56 percent) reported always requiring performance agreements, while 27 percent had agreements in place for some incentives and 17 percent did not use them at all. Only 36 percent linked economic development priorities to budget processes.

It’s more difficult to gauge how effective and reliable localities’ practices truly are, though. Cost-benefit analysis is a particularly controversial area of economic development, for example, and such reports are often characterized by unrealistic assumptions or questionable methodologies.

Daphne Kenyon, a fellow at the Lincoln Institute of Land Policy, said the survey results for both cost-benefit analysis and incentive measurement were better than she expected. One potential concern she cited was that some evaluations may be conducted by the economic development agencies rather than more objective outside groups.

Measuring the effectiveness of incentives is no simple task. Take, for example, job creation -- the most common measure used according to the survey. Tallying employment counts before and after an incentive is a far different matter than determining about how many jobs would actually be gained or lost absent an incentive.

“It all depends on who you ask and whether you’re a tough judge of the numbers they give you,” Kenyon said.

Still, going through the motions -- even if reviews are limited -- is better than doing nothing. “Just taking the sober view of looking at costs and benefits can be so vastly better than a naïve mentality,” Kenyon said.

Kenyon recommends localities within a metro area work together and market themselves as a unit. Property tax incentives are relatively unimportant when companies first select a metro area, according to a Lincoln Institute...
of Land Policy report, but they weigh more prominently in choosing a site within a region.

Compared to local agencies, states generally possess more resources to study incentive programs. But even so, a 2012 Pew study found half of states lacked basic measures to inform policymakers on whether they provided an effective return on investment.

Evidence does suggest slightly more states and localities are starting to take a closer look at economic development. Compared to five years ago, responses for the ICMA survey ticked up a few percentage points for questions assessing use of cost-benefit analysis and measuring incentives’ effectiveness. Several states responded to calls for greater transparency and scrutiny of incentives in recent years as well, passing legislation aimed at better evaluating programs.

“_An increasing number of policymakers are recognizing the importance of measuring the results of tax incentives,_” said Josh Goodman, who researches state economic development incentives for Pew Charitable Trusts.

One reason Goodman said more states don’t study tax incentives is that they’re not part of the regular budget process. More, though, have moved to evaluate programs more regularly, he said.

Earlier this year, the District of Columbia Council approved a measure requiring its chief financial officer to review tax expenditures. It stipulated multiple considerations for analyses of economic development-related programs, such as taking into account whether outcomes would have been any different absent tax expenditures and how they may have been offset by economic losses elsewhere.

_Pew has published a fact sheet_ outlining how a few states evaluate their incentive programs.

_Evaluations of incentives must consider their goals; not all economic development awards are designed primarily to spur job creation._ Some target economic development around economically-depressed neighborhoods or in other areas, like transit hubs. Others may exist to raise revenue via property taxes.

_One of the more common complaints levied against the subsidies is that only a few companies benefit._ Using its subsidy tracker database, Good Jobs First estimated that at least three-quarters of total U.S. disclosed economic development dollars are awarded to only 965 larger corporations.

There is no comprehensive national tally of just how much states and localities have doled out. For this reason, it’s hard to say the extent to which business incentives possibly increased in recent years. The ICMA survey, though, does suggest local incentive award packages generally are not growing, at least on average. The majority of responding governments (61 percent) reported average business incentive packages of about the same value as five years prior; 23 percent reported increases and 15 percent reported decreases.

Much of the data around economic development incentives tends to be fragmented. That could soon begin to change under new rules proposed by the Governmental Accounting Standards Board (GASB) that require governments to report total resulting revenue loss. Some jurisdictions currently disclose much more than others, so the proposed requirements represent a significant shift that is likely to encounter resistance.

Mike Maciag is a Data Editor with Governing Magazine. This article is reprinted with permission from Governing Magazine, November 2014. Find the article on Governing’s website at http://www.governing.com/topics/finance/gov-economic-development-tax-incentive-survey-of-local-governments.html.

End Notes:
DIFFICULT LEGAL ISSUES IN REDEVELOPMENT

A trio of cases that were decided recently illustrate the difficulties involved in redevelopment, especially with the use of eminent domain and condemnation, either for public use or economic redevelopment. Since the United States Supreme Court’s decision in Kelo v. City of New London upholding the use of eminent domain for redevelopment, the Missouri legislature has made many fundamental changes pertaining to condemnation and eminent domain to restrict the usage perceived above. Some of the results from this 2006 reform are just beginning to be felt.

The case of St. Louis County v. Riverbend Estates Homeowner’s Association, 408 S.W.3d 116 (Mo. banc 2013), illustrates the significant changes in condemnation awards. In that case, the County had filed a condemnation petition in 2009 for a parcel of land to be used for a highway extension. The condemnation commissioners awarded the property owners $320,000 for approximately 15 acres of farmland. The property owners then filed exceptions. The jury assessed damages at $1.3 million dollars. In addition, the trial court added 50 percent additional amount to the award as heritage value under Section 523.045 RSMo. Heritage value was part of the 2006 eminent domain reform. It adds 50 percent to the fair market value for property that has been owned by one family for 50 years. The legislature also added homestead value that is a 25 percent addition for property that is the homestead of a person. The County challenged the heritage value as not authorized by law. The Supreme Court of Missouri upheld the heritage value statutes as being constitutionally authorized.

The case of State ex rel. Watson v. Sherry, 436 S.W.3d 718 (Mo. App. E.D. 2014) illustrates another difficulty with exercising condemnation. In this case, condemnation was exercised in connection with a tax increment financing adopted in 2006. The commissioners assessed damages at approximately $322,000.00 for the condemnation. After several issues with the developers, title issues and settlement attempts, the City did not pay the award until December 2013. By that time, the judgment with interest, was approximately $430,000. The property owners refused to move and the court entered an order for possession. The property owner defended against the writ of possession, saying that the TIF Act only allows property to be acquired within five years of the adoption of the TIF ordinance approving the project. The City contended that the property owner had the right to file a motion to pay the award into court. The court of appeals agreed with the property owner and said that unless the award is paid within five years of the project being adopted, the writ of possession could not be granted. Interestingly, the property owners filed a motion to obtain the payment of interest on the award of damages, arguing that the City had abandoned the condemnation. The court of appeals denied the request for interest stating that the City never elected to abandon the appropriation and that the property owners could have filed a motion for payment, and that they had the use of the property during the entire proceeding.

A third decision was rendered in the City of Kansas City v. Powell, 2014 WL4976980 (Mo. App. W.D. 2014). In this case, the City filed a condemnation petition to condemn a piece of property for a new police station and crime lab. The City had offered the owner a total of $90,000 for the land. The owner refused. A jury found the property to have a fair market value of $55,000. The property owner appealed, alleging that the City failed to engage in good faith negotiation under Section 523.256 RSMo, which requires that the condemning authority provide notice of its offer and an opportunity for the property owner to obtain her own appraisal. The court held that the City substantially complied. The court also rejected the property owner’s claim that the value should be increased based on the proposed redevelopment. The court held that under the “project influence doctrine” jury cannot consider enhancements or depreciations brought about by construction of the improvement for which the property is taken.

These cases illustrate the difficulties facing cities or counties when they use eminent domain for public use or for other redevelopment. Costs are much higher due to procedural requirements and the awards are much greater now due to the 2006 reform act.

Kenneth J. Heinz is a Principal with Curtis, Heinz, Garrett & O’Keefe, P.C He serves as general counsel for several communities. Heinz has been active as special counsel to many municipalities in Missouri and Illinois on municipal issues. He has delivered seminars to many public and private groups at the local and state level on municipal issues, such as municipal contracts, zoning and sunshine law. Contact the firm at 314-725-8788 or www.chgolaw.net.
The Nerdery To Invest $4.3 Million To Open A Larger Location In Missouri

The Nerdery, a tech agency specializing in customized interactive projects, is expanding its presence in Kansas City. The company’s expansion is expected to create 100 new high-paying jobs within the next five years. In addition, The Nerdery’s project includes a $4.3 million capital investment and millions more in new wages for its growing workforce.

Based in Minneapolis, The Nerdery is an interactive design and development company that partners with clients to engineer and execute their interactive projects, including websites, mobile and social media apps. Since starting in 2003, the company has outgrown its offices a dozen times over and today employs 500 people in its Chicago, Minneapolis and Kansas City locations.

In 2012, the company opened a location in Missouri, its third major market for growth. Having outgrown its original Kansas City office where it currently employs a staff of 26, The Nerdery relocated to a larger, permanent location, as anchor tenant of the historic Western Union Building at 100 E. 7th St. The Nerdery’s larger location will accommodate its emergent Missouri workforce, comprised of web developers, UX designers, and QA engineers, among others.

Earlier this year, Kansas City was named one of the top Most Promising Tech Hubs to Watch in 2014 by techie.com. Kansas City was selected as the first city in the nation to receive Google Fiber, a high-speed internet connection that is up to 100 times faster than average broadband speeds.

Missouri Department Of Economic Development Named The Number One Economic Development Agency In The Country

Missouri’s Department of Economic Development has been named the number one economic development agency in the country by the nation’s premier international brokerage and consulting firms. According to AEDI/Pollina Corporate, this is the first time the organization has formally ranked state agencies, making Missouri the first to receive the distinction.

To develop the Top 10 State Economic Development Organizations list, AEDI/Pollina Corporate evaluated states’ economic development organization’s performance, and awarded points based on marketing of the state to employers, efforts for attracting new business and assisting existing state employers. Missouri led the nation with a score of 112.

In fiscal year 2014, Missouri experienced the best year on record for job creation and capital investments, partnering with dozens of growing companies to announce 121 expansion projects, including plans to create a total of 28,198 new jobs and invest more than $6.35 billion in the Show-Me State. During that same time, Missouri landed the largest expansion in state history when Cerner announced plans to create up to 16,000 new jobs with a $4.45 billion investment.
Bio Technology Firm Expands In Columbia

The Missouri Department of Economic Development joined Nanova Biomaterials, Inc., (NBI), and local leaders to celebrate the grand opening of the company’s new location in Columbia, Mo. The event gave a first look at NBI’s 6,000-square-foot, $1.5 million facility that includes a research and development lab, production area and office space. The company is expanding its workforce and expects to create up to 50 new jobs within the first five years.

Founded in 2007 by a group of four researchers, two of whom are from the University of Missouri, Nanova is an early stage bio technology that uses nanotechnology to manufacture orthopedic and dental products, such as dental fillings and bone screws. As a rapidly growing company with three additional products pending FDA-approval, NBI expects to nearly double the size of its workforce by 2016.

Source: Missourinet

Missouri Exports On The Rise

According to new information obtained from WISERTrade, Missouri exports have risen. Missouri’s current year-to-date exports finished 4.71 percent higher through October 2014 when compared to the same time period in 2013, rising from $10.792 billion to $11.3 billion. Many of the state’s top export partners also increased their purchasing of Missouri goods during this time period, led by Germany (+35.92 percent), Mexico (+19.12 percent), and the United Kingdom (+11.38 percent).

The state also experienced a 29.5 percent increase in month-over-month export totals from September 2014 ($1.107 billion) – October 2014 ($1.434 billion). During this time period, Missouri exports to each of the state’s top five export partners also increased. Our two largest export partners, Canada and Mexico, increased their purchasing of Missouri-made goods by 48.29 percent and 56.45 percent, respectively, from September to October 2014.

Additionally, the state saw export increases in several key sectors through October 2014 when compared to the same time period in 2013, including Chemicals, Food & Kindred Products (processed foods), Machinery (except Electrical), Electrical Equipment, Appliances and Components, Computer and Electronic Products, Primary Metal Manufacturing, and Agricultural Products (commodities).
MML Calendar of Events

2015

January
7   Missouri Legislature Convenes
20   Last Date for Candidate Filing
22   2015 Missouri Conference on Transportation, Jefferson City, Missouri
22   2015 MCMA Professional Development Seminar, Columbia, Missouri

February
10-11  MML Legislative Conference, Jefferson City, Missouri

March
3-5   Missouri Rural Water Association 49th Annual Conference, Branson, Missouri
7-11  NLC Congressional City Conference, Washington, D.C.

April
7     Municipal Election Day

May
6-8   2015 MCMA Annual Spring Conference, Lake Ozark, Missouri
31 - June 3  79th Annual IPMA-HR Central Region Training Conference, Kansas City, Missouri

For more events, visit the events calendar at www.mocities.com.

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