

BY: Councilmember Luther  
 FIRST READING: July 17, 2024  
 SECOND READING: August 7, 2024

AN ORDINANCE APPROVING A PETITION TO ESTABLISH THE BRIDGETON HILLTOP COMMUNITY IMPROVEMENT DISTRICT AND TO AUTHORIZE A SALES TAX AND SPECIAL ASSESSMENT PURSUANT TO SECTIONS 67.1401-67.1571 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED; CREATING THE BRIDGETON HILLTOP COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION; DIRECTING THE CITY CLERK OF THE CITY OF BRIDGETON TO REPORT THE CREATION OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT; FINDING THAT THE DISTRICT IS IN A BLIGHTED AREA; AND DIRECTING AND AUTHORIZING CITY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME.

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WHEREAS, pursuant to Sections 67.1401 through 67.1571 of the Revised Statutes of Missouri, as amended (the “**CID Act**”), the City is authorized to create a community improvement district upon the filing of a petition with the city clerk of the City and the holding of a public hearing by the City Council regarding the same;

WHEREAS, a petition, and any amendments thereof as permitted by Section 67.1421.5 of the CID Act (the “**Petition**”) to establish the Bridgeton Hilltop Community Improvement District (the “**District**”) was duly filed with the City Clerk of the City of Bridgeton, Missouri (the “**City**”), a true and correct copy of which is attached hereto as **Exhibit A** and incorporated herein by this reference;

WHEREAS, due and lawful notice of a public hearing on the Petition was duly published, and said public hearing was held and concluded by the City Council during its regularly scheduled meeting on August 7, 2024;

WHEREAS, the City Council has reviewed the Petition and heard comments from all interested parties during the public hearing on August 7, 2024 and any notice of the contents of any amendments to the Petition, as set forth in Section 67.1421.5 of the CID Act, was given at the public hearing;

WHEREAS, the Petition is proper in that it meets all of the requirements of the CID Act and all things necessary for the adoption of this ordinance approving the addition of real property to the boundaries of the District have in all respects been done and performed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGETON, MISSOURI, AS FOLLOWS:

**Section One.** Pursuant to Section 67.1411.3 of the CID Act and subject to the terms of the Petition, the "Bridgeton Hilltop Community Improvement District" (the "**CID**") is hereby created as a political subdivision of the State of Missouri. A copy of the Petition containing a legal description and map of the District's boundaries is attached hereto as **Exhibit A** and incorporated herein by reference. The City hereby makes a determination and finding that the Petition was filed in conformance with the CID Act, the Petition is hereby approved in its entirety and due and lawful notice of a public hearing on the Petition was duly published and mailed to the property owners in the district.

**Section Two.** The CID is hereby established for the purposes set forth in the Petition, and the CID shall have all the powers and authority authorized by the Petition and by the CID Act, and the District shall continue to exist and function for the term provided in the Petition.

**Section Three.** That the City hereby: (A) makes a determination and finding that the boundaries of the CID are contiguous; and (B) finds and determines that the CID may contract with a private property owner within the boundaries of the CID for the purposes set forth in Section 67.1461.2 of the CID Act and that such contract will serve a public purpose.

**Section Four.** Pursuant to Section 67.1451.5 of the CID Act, the Mayor hereby appoints and the City Council of the City hereby approves the initial appointment of the CID's Board of Directors as follows:

<u>Name</u>	<u>Initial Term</u>
Michael Denckhoff	4 years from date of appointment
Kevin Bookout	4 years from date of appointment
Matt Gambrell	2 years from date of appointment
Thomas Weiler	2 years from date of appointment
Michael Goodall	2 years from date of appointment

The date of appointment for each of the initial Board of Directors shall be the date of passage of this Ordinance. No further action by the Mayor or City Council is necessary.

**Section Five.** That upon the effective date of this Ordinance, the City Clerk is hereby directed to report the creation of the CID to the Missouri Department of Economic Development pursuant to Section 67.1421.6 of the CID Act, by sending a copy of this Ordinance to said agency.

**Section Six.** The City Council does hereby adopt this Ordinance, including **Exhibit A** attached hereto and incorporated herein by this reference, pursuant to the power granted to the City under the CID Act.

**Section Seven.** The City hereby finds that the area described in Exhibit A of the CID Petition is a “blighted area” within the meaning of Section 67.1401.2(3) of the CID Act because it has been declared blighted or found to be a blighted area pursuant to Chapter 353 of the Revised Statutes of Missouri, as amended, and Chapter 145 of the City Code of the City by the City Council by Ordinance No. 24-\_\_\_\_\_. The City hereby further finds that the proposed uses of the District proceeds, as provided for in the CID Petition, will serve a public purpose by remediating blight and encouraging the redevelopment of real property within the District. The District shall have such additional available powers available to community improvement districts in blighted areas as described in Section 67.1461.2 of the CID Act.

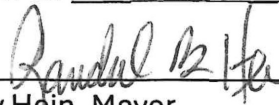
**Section Eight.** The City Clerk and any other City official are hereby authorized to take any action as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments or other documents as may be necessary, desirable, convenient or proper to perform all matters herein authorized.

**Section Nine.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (i) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City has or would have enacted the valid sections without the void ones; or (ii) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

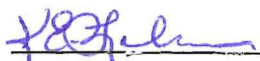
**Section Ten.** This Ordinance shall be in full force and effect from and after the date of its passage and approval by the Mayor.

PASSED THIS 7th DAY OF AUGUST, 2024

APPROVED THIS 7th DAY OF AUGUST, 2024

  
\_\_\_\_\_  
Randy Hein, Mayor

ATTEST:

  
\_\_\_\_\_  
Karen E. Robinson, MRCC-S/CMC  
City Clerk

Signed this 7th day of August, 2024

**EXHIBIT A**

**PETITION**

[see attached]