

**Meeting Minutes**  
**Downtown Business Improvement District Advisory Board**  
**April 20, 2023, at 10:00 a.m. City Commission Room**

**Board Present:** Brad Simonsson, Emily Koenig, Jason Suther, Donna Scheele, Nicholle Proffitt, Jolene Roberts. (Absent: Dan Engle, Aly Limbocker)

**City Present:** Rina Neal, Breanna Wolf

**DMI Present:** Gina Snyder, Tanya Ram

**Introductions of Staff and Board Members:**

**Establish Quorum:** Brad Simonsson called the meeting to order and established a quorum at 10:03 AM.

**Public Comment:** No Public Comment

**January 2023 Minutes:** Donna moved to approve; Nicholle seconded. Motion passed unanimously.

**City of Manhattan Finance Update:**

Went over the 2023 Financial Summary. Budgeted \$98,500 in DBID fees. Collected \$95,995.59. \$17,000 January advance and \$22,000 Q1 payment have been distributed to DMI. \$2383.50 outstanding from the 2023 DBID invoices. Last year, Advise Technologies, Alter Ego, US Stone Industries and O & S Cleaning Solutions were sent to collections due to nonpayment of the 2022 DBID fees. To date, nothing has been collected by the collection agency. O & S Cleaning Solutions did pay both the 2022 and 2023 fees in full to the City of Manhattan. Part of that money will need to be remitted to the collection agency for the 2022 DBID fee and 2022 late fee. Will wait until the July meeting to talk about the remaining three companies and the outstanding accounts from 2023. Is there a way to address a business proper if they have moved somewhere else in town? Collection agency is sending notices to the previous address on file. The remaining three businesses from 2022 were not active in the DMI district in 2023. Collection and write off discussion tabled until July meeting.

**Ordinance, bylaws, legal review:**

**a. City Manager's Office update:**

Jared Wasinger, Assistant City Manager gave a presentation regarding changes to several board structures and resolutions that were last adopted in 1997. Looking to approve new resolutions in October 2023.

## Policy Resolution Agenda

### May 9-Review Boards and Committees Structures

- Aggieville Business Improvement District Advisory Board
- Downtown Business Improvement District Advisory Board
- Municipal Audit Committee

Created by ordinance-pursuant to state statute

### **DBID Advisory Board**

-Board not codified in code of ordinances

-Annual ordinance adopted boundary, establishing budget, fees, assessments, etc. to businesses in district

-Nine members – 2-year terms (move to make it 3-year term)  
Discussion about reducing the number of members to seven.

-Staff Liaison (Finance Director and other staff)  
Currently no Bylaws

-Meeting date/time/frequency  
Meet at least quarterly, staff liaison or chair can call a special meeting if necessary

-Term limits  
No term limits required

-Eligibility requirements  
If an individual would like to be on the board, they need to be up to date on having paid their DBID fees. They must work, manage, own a business or own property downtown, within the DBID boundary. Board members must have a vested interest in Downtown.

-Residency requirements  
Not necessary due to the eligibility requirements

-Quorum-simple majority  
The board currently does this and wants to continue to do so.

-Ex-officio member/DMI Director  
Unanimous decision to make the DMI Director the ex-officio member of the DBID Advisory Board.

-Attendance requirements

Unanimous decision to implement attendance requirements.

**b. Assessment method**

Annual Processes

-District Boundary

DMI Board of Directors is recommending making an adjustment to the district boundary to include from Civics Plus south to Ft. Riley Boulevard, would include the restaurant in the Fraternal Order of Eagles and future businesses on the west side of South 4<sup>th</sup> Street. Rina mentioned the 1<sup>st</sup> three quarterly meetings would be a good time to discuss changes to the district boundary and DBID fee changes. Discussion about letting these businesses know about changing the district boundary as a courtesy. Reason for the DBID-State statute, approved by the city, and there are websites to visit to educate oneself on the DBID and what the fees go toward. The City Commission is the entity that has the final decision on approving changing district boundaries.

Motion to request extension to the DBID boundary by Donna, seconded by Jolene. Motion passed unanimously.

-Assessment

-Calculation of BID Fee

-Payment of Fees

-Collection of Fees

-Appeal process

**Director Updates:**

Gina mentioned the updates were provided with the agenda to today's meeting.

DMI Letter to DBID Advisory Board:

There is currently a shift to more nonprofits in the district. As of now, nonprofits do not pay DBID fees. DMI is in the process of determining exactly how many nonprofits we currently have in the district. DMI is asking the DBID Advisory Board to develop a tiered system for nonprofits. Board recommends that the City legal department investigate whether nonprofits can legally be assessed and if they can't, can the ordinance be rewritten to include nonprofits. Further discussion to keep the nonprofits tiered in a similar fashion to what we currently have for other businesses, quad structure-core,

periphery, square footage but keep all nonprofits at a nonretail rate. Board asked DMI to come to them with future recommendations regarding long range planning of the district.

**a. Review of Past Due Accounts:**

DMI's recommendation is to first use a collection agency to collect delinquent accounts instead of legal action. DMI supports legal action on those businesses that are repeat offenders. Look at providing the City or collection agency with updated addresses and phone numbers for delinquent accounts in collections. How effective is the collection agency? Table discussion until July. We are currently at a 98% collection rate.

**b. Affidavit Update:**

Affadavit discussion: Walgreens, ReThink Real Estate  
Collection: Little Apple Doulas, The Positive Link

**2024 Budget:**

\$103,500.00, Reflective of the annual 3% increase and a \$2000.00 buffer. Motion to approve by Donna, seconded by Emily. Motion passed unanimously.

**Board Comments:**

More concerted effort to find another board member. Have eight and are supposed to have nine. Need to address several absences by the same members. Legal request for nonprofit BID fee question. Ask the City Commission to change the DBID boundary. 2022 and 2023 affidavit vs collection efforts vs write-off discussion tabled for July-we need a more concrete process on affidavit vs collection efforts.

**Meeting Adjourned: 11:56 AM**