

**THE CWE BUSINESS
COMMUNITY IMPROVEMENT DISTRICT
MINUTES OF THE MEETING OF THE COMMISSION
September 10, 2023**

The September meeting of the CWE Business Community Improvement District was called to order at 10:00 A.M. The meeting was held via zoom.

PRESENT: Jim Dwyer, Ken Fowler, Debra Hunter, Paul Filla, Trip Straub, Kyle Bozoian; Alderman Michael Browning; Kate Haher Executive Director and Nina Emerson, Marketing and Communications Specialist for the CID and Ron Coleman, Neighborhood Improvement Specialist.

MINUTES:

Trip Straub called for a motion to approve the August 2023 meeting minutes. Paul Filla moved. Ken Fowler seconded. Minutes approved.

ADMINISTRATIVE ITEMS

Review of the August 23 Financials

Kate stated that August was a strong month with \$113,181.58 in sales and use tax collected. She attributed the increased revenue to payments received from some businesses that had been behind and noted that more than \$20,000 was received in sales tax from a new business, likely doing work at one of the properties in the CWE. Kate explained that expenses and revenue were on track and stated that the \$94,000 in the special projects fund line item is the payment for 90% of the Dressel's project.

Kate presented the financial position. She noted that over the past year the CID has used some of the funds on special projects and that is reflected in the balance on the financial position.

Paul asked about the payroll advance being negative \$675. Kate stated that was a mistake and that she asked for clarification from the bookkeeper and will keep the Board updated.

Resolution No. 2023-24 Adopting a Conflict-of-Interest Policy

Kate presented a resolution adopting a Conflict-of-Interest Policy and explained that this policy is required when a CID's projected operating budget exceeds \$1 million. She informed the Board that the resolution indicates the COO and CFO will be required to fill out conflict-of-interest forms after January 1, 2024.

Paul moved to approve the resolution. Jim Dwyer seconded. Motion approved.

AC Hotel Refund Request

Kate informed the Board that the AC Hotel requested a refund of approximately \$80,000 for the taxes paid through January 2023, stating they were not aware of the CID. Kate stated that in June 2022 she realized that there was no tax collection from the AC Hotel and notified the state. She

later received an email from the state indicating that the issue had been corrected, but she still did not see tax receipts after a few months. When she notified the state again, she stated that she was asked by the state whether the CID wanted the taxes collected from the beginning of the opening of the hotel and she indicated yes.

Kate shared that the hotel came back to the CID and the state asking for a refund stating that they were not aware of the CID and the 1% sales tax that had not been collected by the hotel. She informed the Board that she, Trip, Jim and Ken discussed and agreed that the responsibility lay with the state because the CID as an entity is not responsible for, nor does it handle any collection of sales tax, as it is also the businesses' responsibility to file correctly. Kate added that the state denied the request but refunded the hotel the additional interest and fees on the penalty. The Board agreed that the collection of taxes and reporting is the responsibility of the business and the state and that based on the information provided by the state that the hotel was filing incorrectly, a refund would not be granted. The Board approved the response to the AC Hotel.

Miscellaneous

Kate informed the Board that a fraudulent check in the amount of 18,000 was cashed to someone in Texas. She stated that it has been reported to the fraud department at Busey Bank and she is filing a police report. She shared that the money was refunded the day before and that there were a couple of options recommended by the bank moving forward. She stated that the bank account could be completely closed and a new one opened or the CID could opt to put another level of security on the existing account, which would require reporting all checks written to the bank and incur additional fees. Kate noted that if the CID chooses to do nothing, Busey retains the right to not refund the money in any future incidents.

Trip suggested that the CID leave the account as is, noting that this is happening all over and checking accounts is not going to prevent it from happening again. The Board agreed that this was the bank's responsibility, and that the CID should continue as it has been and keep a close eye on the account.

Kate explained that a few past payments had come in from Brake Landscaping for the previous fiscal year, some that would be billed to the landscape budget and others to the special projects budget. She noted that these changes went in after the year end financials were reviewed at the last meeting but before they were reviewed by the auditing firm doing the financial review.

PUBLIC REALM

Streetscape Updates

Kate shared that the Dressel's project is complete, and the project was a success.

She stated that holiday planning was underway, and that the CID will be ordering holiday décor and landscaping shortly.

MARKETING, COMMUNICATIONS & EVENTS

Events

Kate stated that planning for Halloween was on track. She said that nine businesses will participate in this year's event and shared that Pendleton Whiskey has come in as a sponsor in addition to Urban Chestnut and Johnnie Brocks.

She reported that she is also planning for Window Walk and shared that there may not be carriages during Window Walk due to the primary St. Louis carriage company going out of business and that staff is brainstorming potential options to take its place.

Placer AI Event Proposal

Kate informed the Board that she received a contract from Placer AI and that there is no cost benefit to the CID for a multi-year contract. The Board will continue to discuss this at future meetings.

OTHER BUSINESS

Kate informed the Board that she had recent conversations with Kimberly Smith-Drake who works with Brian Philips from the WashU Redevelopment Board and Brian Jones, the new Assistant Executive Director who has taken over working with the Central West End South CID. She said one of their priorities is marketing and potentially collaborating on marketing efforts between the North and South CIDs. She suggested a meeting between the South CID Board members, North CID Board members, Brian and herself to further discuss marketing objectives. Ken and Jim shared that they would like to participate in the meeting.

Kate shared that the CWE Gallery Night went well and that the four galleries were happy with the foot traffic. Kate added that the area businesses provided appetizers which was well received and the galleries expressed appreciation for the Board.

ADJOURNMENT

The meeting was adjourned at 11 a.m.

Respectfully submitted,

JAMES DWYER, SECRETARY