

Board of Trustees
Barton Community College
February 23, 2021 Board Meeting

Neighborhood Revitalization Plan
City of Hoisington

The attached documents outline the proposed Neighborhood Revitalization Plan for the City of Hoisington. This plan allows for residents within the City of Hoisington to apply for tax rebates for improvements to their properties (based on criteria outlined in the plan).

Recommendation: Approve Dr. Heilman to sign the Neighborhood Revitalization Plan as presented.

Exhibit A

NEIGHBORHOOD
REVITALIZATION PLAN

CITY OF HOISINGTON

March 1, 2021

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PART 1

LEGAL DESCRIPTION OF AREA AND MAP

All of the corporate City limits of Hoisington shall be considered in the Primary Target Area.

Map

A map outlining the Neighborhood Revitalization Area and depicting the existing parcel of real estate therein is on file at the City Office at 109 E 1st Hoisington, KS.

PART 2

ASSESSED VALUATION OF LAND AND BUILDINGS WITHIN THE AREA

The year 2020 existing assessed valuation of the parcels of real estate in the proposed Neighborhood Revitalization area is \$10,979,902 in the Primary Target Area.

PART 3

LISTING OF OWNERS OF RECORD IN AREA

The names and address of the owners of record of real estate within the area are on file at the County Appraiser's Office at the County Courthouse, 1400 Main, Great Bend, KS.

PART 4

EXISTING ZONING AND LAND USE

A zoning map, a list of zoning districts for the area, and existing land use map are on file in the City Office at 109 E 1st Hoisington, KS.

PART 5

CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

The following are proposed capital improvements and projects for the Primary Target Area:

Street Improvements

- Enhancements to K-4 between Main Street to Center Street.
- Second Street resurfacing between Green Street and Walnut Street.

Parks

- Continue improvements at Bicentennial Park
- Update equipment in Heritage Park
- Repair or renovate Swimming Pool

Public Buildings

- Repair or renovate bathhouse at swimming pool
- Add catering space and ADA lift at City Hall

Sewer and Water

- Add lift station to provide wastewater service to NW growth area
- Extend water lines to service NW growth area.

PART 6

ELIGIBILITY REQUIREMENTS

Residential Property

1. Rehabilitation, alterations and additions to any existing residential structure, including the alteration of a single-family home into a multi-family dwelling, shall be eligible. Rental property is eligible. Mobile homes are not eligible.
2. Construction of new residential structures, including the conversion of all or part of a non-residential structure into a residential structure, shall be eligible.
3. Residential property must be located within the appropriate target areas and be zoned properly to be eligible.
4. Improvements to detached accessory structures such as garages, workshops and storage sheds are eligible. Improvements such as swimming pools, and built-in hot tubs shall not be eligible.

Commercial/Industrial Property

1. Rehabilitation, alterations and additions to any existing commercial structure used for retail, office, manufacturing, warehousing, institutional or other commercial or industrial purposes shall be eligible.
2. Construction of new commercial structures, including the conversion of all or part of a non-commercial structure into a commercial structure, used for retail, office, manufacturing, warehousing, institutional or other commercial or industrial purposes shall be eligible.
3. Commercial or industrial property must be located within the primary target areas and be zoned properly to be eligible.

PART 7

CRITERIA FOR DETERMINATION OF ELIGIBILITY

1. Construction of an improvement must have been commenced on or after March 1, 2021, the effective date of enactment of the tax rebate program, as documented by a building permit.
2. Section 1 of an application for rebate must be filed prior to the commencement of construction on any improvement if an applicant wants to receive consideration for this program.
3. The minimum increase of an improvement shall be \$10,000 for residential, commercial and industrial property, as documented by the building permit. In addition to the minimum investment, the minimum increase in assessed value shall be ten percent for residential, commercial and industrial property as determined by the Barton County Appraiser following a partial or total completion of the improvement. For eligibility purposes, a property **must meet both** minimum investment requirements and minimum assessed value increases.
4. Property eligible for tax incentives under any other program adopted pursuant to statutory or constitutional authority may be eligible to submit an application.
5. The property for which a rebate is requested shall conform with all applicable city codes and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the rebate period or the rebate shall be terminated. This includes the new as well as the existing improvements on the property.
6. Rebates do not follow the sale of the property. Applicant must retain ownership of the property in order to receive the rebate. If property sells before the rebate period has ended, the rebate is terminated at the time of the sale. The exception to this would be the one time sale of a new house by a developer to the first owner resident or sale of a commercial building constructed for speculation purposes by a developer to the first owner occupant of the facility.
7. Any parcel that is delinquent in any tax payment, special assessment, or city utility payment shall not be eligible for a rebate until such time as all taxes, bills and assessments have been paid. Any parcel submitted for application into the Neighborhood Revitalization Plan will be considered ineligible if there are any delinquent real estate taxes and/or special assessments at the time the application is filed. If at any time after a parcel has been accepted into the Neighborhood Revitalization Plan the property becomes delinquent in city utility payments, real estate taxes and/or special assessments, the parcel will not be eligible for any rebate and will be removed from the Plan, forfeiting any current or future rebates. Any city utility bill shall be considered delinquent if it is not paid by the scheduled due date. For taxes and special assessments, delinquency is defined as, "Any tax and/or special assessment that is not paid by the scheduled due date '(December 20th, and/or May 10th)' and has entered into a period where interest is assigned as a penalty by the county for unpaid condition." If the

property taxes are appealed or are in the process of being appealed, then no rebate will be given until the appeal process is finalized.

8. No application shall be considered for an improvement for which an unresolved tax protest has been filed.
9. If future year values are protested, the property owner shall take the lesser of the two values for the purpose of this program, i.e. the rebate from this program or the abated values as granted by the Board of Tax Appeals. If a reduction in value results in a value below the minimum thresholds, the parcel shall be removed from the plan.
10. Any rebate granted for a property class will be nullified if the property owner changes the property classification, e.g. from the residential to the commercial property classification.

PART 8

CONTENTS OF APPLICATION FOR TAX REBATE

An application for a rebate of property tax increments shall contain the following information.

Section 1-General Information

1. Owner's name, address and daytime telephone number.
2. Address of property and parcel information
3. Legal description of property
4. Proposed or existing property use
5. Type of improvements (exterior or interior)
6. Estimated date of completion
7. Estimated cost of improvements
8. Type of structure: single, two or multi-family; commercial; or industrial
9. List of buildings demolished or proposed to be demolished (if any)
10. Appraiser's certification

Section 2-Commencement of Construction

1. Estimated date of construction commencement
2. Building permit number
3. Estimated date of construction completion

Section 3-Status of Construction as of January 1

1. Incomplete/complete status
2. Appraiser's and Clerk's certification

PART 9

PROCEDURES TO SUBMIT APPLICATION

1. The applicant shall obtain an Application for Tax Rebate from the City Inspector when obtaining a building permit.
2. The applicant shall complete and sign Section 1 of the application and file the original with the County Appraiser's Office within sixty (60) calendar days following issuance of the building permit and prior to commencing construction.
3. The Barton County Appraiser's office shall make a determination of the existing assessed valuation of the improvements.
4. The parcel shall only be eligible for a rebate upon one hundred percent (100%) completion of the improvements or construction described in the application. The applicant shall certify the status of the improvement project as of January 1 following the commencement of the construction by completing, signing, and submitting Section 2 or Section 3 to the County Appraiser's Office. The applicant shall file the application with the Appraiser's Office on or before May 1st, preceding the commencement of the tax rebate period. A rebate period begins after January 1 of the year following the completion of the project. For example, for a project completed in October 2020, the rebate period would begin on January 1, 2021 with the initial rebate processed after the 2021 taxes are completely paid. If the improvements or construction is not completed as of January 1 the applicant may submit Section 3 of the application to the County Appraiser's Office for a one (1) time, one (1) year extension.
5. The County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real estate as of January 1, valuation to the County Clerk by June 1. The tax records on the project shall be revised by the County Clerk's Office.
6. Upon determination by the County Appraiser's Office that the improvements meet the percentage test for rebate, determinations by the County Treasurer's office that the taxes and assessments of the property are not delinquent, and determination by City Inspection Department that the project and application meets the requirements for a tax rebate, the County Appraiser's Offices shall notify the County Treasurer's Office of the rebate percentage due for each year of the rebate period.
7. Upon full payment of the real estate tax for the subject property for the initial and each succeeding tax year extending through the specified rebate period, a tax rebate shall be made to the owner of record. The tax rebate shall be made within thirty (30) days from the tax distribution dates of January 20 or June 5. The tax rebate shall be made from the

Neighborhood Revitalization Fund established by Barton County in conjunction with the other taxing units participating in an Interlocal Agreement.

PART 10

STANDARDS AND CRITERIA FOR REVIEW AND APPROVAL

1. The property for which a rebate is requested shall conform with all applicable city codes and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the rebate period or the rebate shall be terminated.
2. Any property that is delinquent in any tax payment, special assessment or city utility payment shall not be eligible for a rebate until such time as all taxes, bills and assessments have been paid. The City has the responsibility to notify the County of any such delinquency. After a parcel has been accepted for the Neighborhood Revitalization Plan and the subject property's real estate taxes become delinquent, the parcel shall be removed from the plan by the County. The County Appraiser shall notify the City in the event of such an occurrence. The City shall then notify the taxpayer of their removal from the plan.
3. Following establishment of the increase in assessed value resulting from a specific improvement, the fixed rebate percentage shall be applied to any change in assessed value or mill levy during subsequent years.
4. The City Manager, or his/her designee, shall have the authority and discretion to approve or reject applications based on the eligibility standards and review criteria contained herein. If an applicant is dissatisfied with the City Manager's decision, a written appeal may be submitted to the City Council for final determination.

PART 11

REBATE FORMULA

AMOUNT AND YEARS OF REBATE ELIGIBILITY

1. For improvements to property located in the primary target area:

Year	Rebate*
1	95%
2	95%
3	85%
4	85%
5	75%
6	75%
7	65%
8	55%
9	45%
10	35%

*5% of the increment is to be retained by Barton County for administrative costs.

PART 12

PROGRAM EXISTENCE

The Neighborhood Revitalization Plan shall be effective March 1, 2021 and run through December 31, 2021. At the end of the defined period, the Plan will be reviewed by the City Council at which time the County desires to work with the taxing entities throughout Barton County to develop a county-wide tax rebate plan.

The City Council has the right to revoke the plan should there be a natural disaster.

Interlocal Agreement

This interlocal agreement (hereinafter referred to as “Agreement”), effective March 1, 2021, by and between the City of Hoisington, Kansas, a duly organized municipal corporation (hereinafter referred to as “City”) and the County of Barton, Kansas (hereinafter referred to as “County”), the Board of Education of USD # 431 of Hoisington, Barton County, Kansas (hereinafter referred to as “the District”) and Barton Community College, Barton County Kansas (hereinafter referred to as “the Community College”).

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions including economic development; and

WHEREAS, K.S.A. 12-17, 114 et seq. provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to further neighborhood revitalization; and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic development incentive as provided for in K.S.A. 12-17, 119 by acting jointly.,

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. The parties agree to adopt a neighborhood revitalization plan as contained in Exhibit A, attached hereto and incorporated by reference as if fully set forth herein. The parties further agree the neighborhood revitalization plan as adopted will not be amended without approval of the parties except as may be necessary to comply with applicable state law or regulation.

2. The parties further agree that the County shall administer the neighborhood revitalization plan as adopted by each party on behalf of the signatory parties. The County shall create a neighborhood revitalization fund pursuant to K.S.A 12-17, 118 for the purpose of financing the plan and to provide rebates.

3. This Agreement shall expire December 31, 2021. The parties agree to undertake a review of the neighborhood revitalization plan concluding on or before September 1, 2021 to determine any needed modifications to the neighborhood revitalization plan and participation in a new interlocal agreement. The parties agree that any party may terminate this agreement prior to December 31, 2021 by providing thirty (30) days advance notice provided however any applications for tax rebate submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate period unless a natural disaster takes place. If a natural disaster takes place, applications and rebates shall be handled according to the neighborhood revitalization plan. Any public Agency which does not execute this Agreement on or before March 1, 2021, shall be considered not a party.

IN WITNESS WHEREOF, the Public Agencies have caused this agreement to be duly executed by their respective appropriate representatives.

City of Hoisington, Kansas

_____,
Dalton Popp, Mayor

ATTEST:

_____,
Cecelia Conrad, City Clerk

County of Barton, Kansas

_____,
Jim Daily Chairperson, Board of Commissioners

ATTEST:

_____,
Donna Zimmerman, County Clerk

Board of Education Unified School District #431

_____,
Don Fisher, President

ATTEST:

_____,
Trisha Martin, Clerk of the Board

Board of Trustees, Barton Community College

_____,
Carl R. Heilman, President, BCC

ATTEST:

_____,
Amye Schneider, Board Clerk

Approved this _____ day of _____, 2021 by the Attorney General of the State of Kansas.
Kansas Attorney General

Assistant Attorney General