

Board of Trustees
Barton Community College
August 8, 2017 Study Session

Neighborhood revitalization Plan
City of Great Bend

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

NEIGHBORHOOD REVITALIZATION PLAN

CITY OF GREAT BEND

JANUARY 1, 2017

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The Neighborhood Revitalization Plan will be reviewed by the City Council every year at which time modifications to the Program may be considered.

PART 1

LEGAL DESCRIPTION OF AREAS AND MAP

Legal Description of Primary Neighborhood Revitalization Target Area:

All of the City Limits of the City of Great Bend east of a line beginning at a point where the west right-of-way line of U.S. Highway 281 intersects the north easement line of the north levee of the Great Bend Flood Control Project.

THENCE north along the west right-of-way line of U.S. Highway 281 to the north right-of-way line the Central Kansas Railway right-of-way; thence southwesterly along the north line the Central Kansas Railway right-of-way to a line extended south along the west right-of-way line of Odell Street; thence northwesterly along the north line of the Central Kansas Railway right-of-way to the west right-of-way line of Monroe Street;

THENCE north along the west right-of-way line of Monroe Street to the north right-of-way line of U.S. 56 Highway; thence west along the north right-of-way line of U.S. 56 Highway to the east right-of-way line of Jackson Street;

THENCE north along the east right-of-way line of Jackson Street to 24th Street, thence east along the south right-of-way line of 24th Street to the east right-of-way line of Washington Street;

THENCE north along the east right-of-way line of Washington Street to a point on the east right-of-way of Washington Street and on the south exterior to the south flood control dike along Dry Walnut Creek;

Except for the area within the City Limits of the City of Great Bend east of the east right-of-way line of U.S. Highway 281 and north of the north right-of-way of 24th Street.

Legal Description of Neighborhood Revitalization in the Secondary Target Area:

All the City Limits of Great Bend except the areas of the Great Bend Flood Control Project and the following described real estate located in the Amber Meadows Subdivision to the City of Great Bend, Barton County, Kansas, according to the recorded plat thereof:

Lots One (1), Two (2) and Three (3) in Block Ten (10), Lots One (1), Two (2), Three (3) and Four (4) in Block Eleven (11), and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10) and Eleven (11), in Block Twelve (12),

and the area within the City limits of the City of Great Bend, Kansas, east of the east right-of-way line of U.S. Highway 281 and north of the north right-of-way line of 24th Street.

Map

A map outlining the Neighborhood Revitalization Area and depicting the existing parcel of real estate therein is on file at the City Administrative Offices at 1209 Williams, Great Bend, Kansas.

PART 2

APPRAISED VALUATION OF LAND AND BUILDINGS
WITHIN THE AREA

According to the Barton County Appraiser's Office the year 2016 existing appraised valuation on all parcels of real estate in the proposed Neighborhood Revitalization area is \$261,660,820.00 in the Primary Target Area and \$471,373,280 in the Secondary 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 in the County Appraiser's Office at 1400 Main.

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 Assistant City Administrator's office at 1209 Williams.

PART 5

CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

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

Street Improvements

- Street improvements on North Main
- Street Improvements on South Main
- Arterial and Collector Street Rehabilitation Project
- Residential Street Repairs

Parks

- Continued improvements at the Great Bend Zoo
- Shade Improvements at Jack Kilby Square
- Spray Park at Jack Kilby Square
- Improvements to the Wetlands Aquatic Center
- Improvements of Stone Lake
- Basketball Courts at Brit Spaugh Park

Sewer and Water

- Waterline improvements in the area
- Waterline improvements project in the downtown area
- Waterline improvements project in the designated area
- Sewer line improvements as needed
- Improvements to water wells

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 appropriate 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 January 1, 2017, the effective date of enactment of the original tax rebate program, as documented by a building permit.
2. An application for rebate must be filed within sixty (60) calendar days of the issuance of the building permit, except that the City Council may extend this period for up to thirty (30) additional days if deemed appropriate.
3. The minimum investment of an improvement shall be \$5,000 for residential property and \$10,000 for commercial and industrial property, as documented by the building permit. In addition to the minimum investment, the minimum increase in assessed value shall be 5% for residential property and 10% for commercial and industrial property as determined by the Barton County Appraiser following partial or total completion of the improvement. For eligibility purposes a property must meet **both** minimum investment and minimum assessed value increases.
4. Property eligible for tax incentives under any other program adopted pursuant to statutory or constitutional authority shall 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 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 built for speculation purposes by a developer to the first owner occupant of the facility.
7. 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 Barton County of any such know delinquency. After a parcel has been accepted for the Neighborhood Revitalization Plan and the taxpayer has not paid real estate property taxes before the redemption

is issued on said parcel, the parcel shall be removed from the plan by the County. The County Clerk shall notify the City in the event of such an occurrence. The City shall then notify the taxpayer of their removal from the plan.

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 value as granted by the Board of Tax Appeals. In the event a protest of value or of the taxes is filed on a property in the program, rebate payments shall be suspended until final resolution.
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.
11. Real estate located in a Rural Housing Incentive District (RHID) shall not be eligible to participate in the Neighborhood Revitalization Program until the RHID term has expired.

PART 8

CONTENTS OF APPLICATION FOR TAX REBATE

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

Part I

1. Owner's name
2. Owner's mailing address
3. Owner's daytime phone number
4. Address of property
5. Legal description of property
6. Parcel I.D. No.
7. Building Permit No.
8. Existing use of property
9. Proposed improvements
10. Age of principal building(s)
11. Occupancy status during last 5 years
12. Buildings proposed to be or actually demolished
13. Proposed improvements
14. Estimated cost of improvements
15. Date construction started
16. Estimated date of completion of construction
17. County Appraiser's statement of existing assessed valuation of improvements

Part II

1. Status of construction as of January 1 following commencement
2. County Appraiser's statement of increase in assessed valuation of improvements
3. County Clerk's statement on tax status
4. City Clerk's statement of special assessment status
5. Planning Director's statement of program conformance.

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 Part 1 of the application and file the original with City Inspection Department within sixty (60) calendar days following issuance of the building permit.
3. The City Inspection Department shall forward the application to the Barton County Appraiser's office for determination of the existing assessed valuation of the improvements.
4. Upon completion by the County Appraiser's Office the Appraiser's Office will return the application to the applicant. The applicant shall certify the status of the improvement project as of January 1 following the commencement of the construction by completing and signing Part 2 of the application. The applicant shall file the application with the Appraiser's Office on or before May 31, preceding the commencement of the tax rebate period. A rebate period begins after January 1 of the year when the applicant has completed 100 percent of the improvements. Example: for a project completed in October 2017, the rebate period would begin on January 1, 2018, with the rebate provided for the tax payment due by December 20, 2018.
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, and shall complete his portion of the application and report the new valuation to the County Clerk by June 15. 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, determination by the County Treasurer's office that the taxes and assessments on 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 Office shall notify the applicant and the County Treasurer's Office of the rebate percentage due for each year of the rebate period.
7. Upon the 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 applicant. The tax rebate shall be made within thirty (30) days from the tax distribution dates of January 20, March 20, June 5, September 20 or October 31, following the due date of

payment and submittal of a receipt by the applicant to the County Treasurer's Office. 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. The County Appraiser's Office shall make periodic reports on the tax rebate program to the governing bodies of the participating taxing units.

Part 10

STANDARDS AND CRITERIA FOR REVIEW AND APPROVAL

1. The property for which a rebate is requested shall conform to 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. Rebates are payable to the owner at the time the rebate is due.
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 Barton County of any such know delinquency. After a parcel has been accepted for the Neighborhood Revitalization Plan and the taxpayer has not paid real estate property taxes before the redemption is issued on said parcel, the parcel shall be removed from the plan by the County. The County Clerk 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 Administrator, 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 Administrator'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	95%
4	75%
5	75%
6	75%
7	50%
8	50%
9	25%
10	25%

REBATE FORMULA

AMOUNT AND YEARS OF REBATE ELIGIBILITY

2. For improvements to property located in the secondary target area:

Year	Rebate*
1	95%
2	80%
3	60%
4	40%
5	20%

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

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT entered into by and between the City of Great Bend, Kansas, hereinafter referred to as "CITY", the Board of Commissioners of Barton County, Kansas, hereinafter referred to as "COUNTY", Unified School District #428, hereinafter referred to as "USD 428", and Barton County Community College, hereinafter referred to as "BCCC."

WITNESSETH:

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

WHEREAS, the parties of this Agreement are all public agencies pursuant to K.S.A. 12-2903, and therefore capable of entering into such Interlocal Agreements; and

WHEREAS, K.S.A. 12-17,114 et seq. provides for neighborhood revitalization programs and allows for Interlocal Agreements between municipalities to further neighborhood revitalization; and

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

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

1. The parties agree to adopt a neighborhood revitalization plan as attached hereto and incorporated herein by reference the same 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 COUNTY shall administer the neighborhood revitalization plan as adopted by each party hereto. COUNTY will participate in the issuance of tax rebates in accordance with the neighborhood revitalization plan by creating a neighborhood revitalization fund pursuant to K.S.A. 12-17,118 for the purpose of financing the redevelopment and to provide rebates. The parties acknowledge and agree that five percent (5%) of increment, as defined in K.S.A. 12-17,118, shall be used to pay for COUNTY administrative costs of implementing and administering the plan.
3. This Agreement shall expire December 31, 2021. The parties agree to undertake a review of the neighborhood revitalization plan concluding on or before August 15 of each year to determine any needed modifications to the neighborhood revitalization plan and Interlocal Agreement. The parties agree that termination of the Agreement by any party prior to December 31, 2021, will adversely affect the success of the neighborhood revitalization plan. The parties further agree that any party may terminate this Agreement on any August 15th prior to December 31, 2021, by providing twelve (12) months notice in writing to the other parties to the Agreement. Provided, however, any applications for tax rebate

submitted prior to the effective date of the termination shall, if approved , be considered eligible for the duration of the rebate period.

IN WITNESS WHEREOF, the parties have hereto executed this agreement as shown below.

CITY OF GREAT BEND, KANSAS

BARTON COUNTY, KANSAS

Mike Allison, Mayor

Jennifer Schartz, Board Chair

ATTEST:

ATTEST:

Shawna Schafer, City Clerk

Donna Zimmerman, County Clerk

Dated this ____ day of _____, 2017

Dated this ____ day of _____, 2017

UNIFIED SCHOOL DISTRICT #428

BARTON COUNTY COMMUNITY COLLEGE

PRINTED NAME:
BOARD PRESIDENT

CARL HEILMAN
PRESIDENT

ATTEST:

ATTEST:

PRINTED NAME:
BOARD SECRETARY

PRINTED NAME:
BOARD SECRETARY

Dated this ____ day of _____, 2017

Dated this ____ day of _____, 2017

The above and foregoing Interlocal Agreement is approved by the Attorney General of the State of Kansas as provided by K.S.A. 12-2904(g) this ____ day of _____, 2017.

By _____
Kansas Attorney General's Office
Derek Schmidt, Kansas Attorney General