

# **CITY COMMISSION SPECIAL MEETING**

The Learning Center  
308 West Frontview  
Monday, December 21, 2009  
5:30 p.m.  
MEETING #4790

## **CALL TO ORDER**

## **ROLL CALL**

**PUBLIC HEARING** for Neighborhood Revitalization Plan

## **NEW BUSINESS**

1. Adoption of Resolution No. 2009-31: A Resolution Adopting the City of Dodge City Neighborhood Revitalization Plan and Designating a Neighborhood Revitalization Area.
2. Approval of Neighborhood Revitalization Plan Interlocal Agreement.

## **ADJOURNMENT**

## Public Hearing Notice

A City of Dodge City public hearing will be held to discuss a proposed program to address a plan for neighborhood revitalization. The hearing will be held at 5:30 p.m. on December 21, 2009 at the U.S.D. 443 Learning Center which is located at 308 W. Frontview, Dodge City.

Publish on December 12th and 18<sup>th</sup>.

RESOLUTION 2009-31

**A RESOLUTION ADOPTING THE CITY OF DODGE CITY NEIGHBORHOOD  
REVITALIZATION PLAN AND DESIGNATING A NEIGHBORHOOD  
REVITALIZATION AREA.**

**WHEREAS**, pursuant to the provisions of KSA 12-17,114 et seq. the City of Dodge City is authorized to adopt a Neighborhood Revitalization Plan and designate a Neighborhood Revitalization Area within the City, and

**WHEREAS**, the City of Dodge City desires to adopt such a Plan and designate a Neighborhood Revitalization Area in order to accomplish rehabilitation, conservation and redevelopment of the Area, and

**WHEREAS**, following proper notice the City has conducted a public hearing concerning the Plan, and

**WHEREAS**, the City of Dodge City finds that the adoption of the Neighborhood Revitalization Plan and the implementation of the Plan in the designated Area is necessary to protect the public health, safety and welfare of the residents of the City of Dodge City;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION  
OF THE CITY OF DODGE CITY AS FOLLOWS:**

1. The Neighborhood Revitalization Plan for the City of Dodge City, Kansas dated December 21, 2009, is hereby adopted.
2. The Neighborhood Revitalization Area as described in said Plan is hereby approved.
3. City staff are hereby authorized and directed to implement said Plan in accordance with the procedures setout therein and to execute on behalf of the City all necessary documents and to take all actions necessary for the implementation of said Plan.

This Resolution shall remain in effect until rescinded by action of the City Commission.

Adopted this 21<sup>st</sup> day of December, 2009.

\_\_\_\_\_  
Rick Sowers, Mayor

ATTEST:

\_\_\_\_\_  
Nannette Pogue, City Clerk

## **Neighborhood Revitalization Plan Interlocal Agreement**

**THIS INTERLOCAL AGREEMENT** (hereinafter the "Agreement") entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by and between the City of Dodge City, Kansas a duly organized municipal corporation (the "City"), Ford County, Kansas (the "County"), Unified School District No. 443, Ford County, Kansas ("USD 443") and Dodge City Community College, Ford County, Kansas ("DCCC") collectively the "Parties".

**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 develop and establish programs for neighborhood revitalization (the "Neighborhood Revitalization Plan"); and

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

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

1. The Parties do hereby adopt the Neighborhood Revitalization Plan attached hereto as Exhibit A, and incorporated herein by reference. 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 City shall administer the Neighborhood Revitalization Plan as adopted by each party on behalf of the signatory parties. The Parties further authorize and direct the County to establish a Neighborhood Revitalization Fund pursuant to K.S.A. 12-17,118 for the purpose of financing the redevelopment of designated revitalization areas and to provide rebates to approved owners. Any increment in property taxes levied by the Parties and collected by the County resulting from qualified improvements to property pursuant to the Neighborhood Revitalization Plan shall be credited to the County's Neighborhood Revitalization Fund.
3. The Parties agree to undertake a review of the Neighborhood Revitalization Plan every three (3) years hereafter, to determine any needed modifications to the Neighborhood Revitalization Plan. The Parties agree that any Party may terminate its participation in this Agreement by providing thirty (30) days advance written notice to all Parties; provided however, any applications for tax rebate submitted prior to said termination shall, if approved, be considered eligible for the duration of the rebate period and the terminating Party's

authorization as provided herein shall remain in full force and effect during such rebate period.

4. This Agreement shall remain in effect until terminated by majority vote of the remaining Parties.

IN WITNESS WHEREOF, the parties have hereunto executed this agreement as of the day and year first above written.

**City of Dodge City, Kansas**

\_\_\_\_\_  
Rick Sowers, Mayor

ATTEST:

\_\_\_\_\_  
Nannette Pogue, City Clerk

**Ford County, Kansas**

\_\_\_\_\_  
Kim Goodnight, Commissioner

\_\_\_\_\_  
Terry Williams, Commissioner

\_\_\_\_\_  
John Swayze, Commissioner

ATTEST:

\_\_\_\_\_  
Sharon Seibel, County Clerk

**Unified School District No. 443**

By: \_\_\_\_\_  
Danny Reichenborn, Board President

ATTEST:

\_\_\_\_\_  
William Hammond, Clerk of the Board

**Dodge City Community College**

By: \_\_\_\_\_  
Dr. Merrill Conant, Board Chair

ATTEST:

\_\_\_\_\_  
Carla Patee, Clerk of the Board

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Attorney General of  
the State of Kansas.

\_\_\_\_\_  
Kansas Attorney General

# **Neighborhood Revitalization Plan**

**City of Dodge City**

**December 21, 2009**

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**SECTION I: PURPOSE**

This Plan is intended to promote and encourage housing development through the creation, rehabilitation, conservation or redevelopment of residential properties in order to protect the public health, safety or welfare of the residents in the area generally described as:

Generally, the reinvestment zone is all areas within the contiguous Dodge City limits as defined by Resolution No. 2009-27 south of the south street right-of-way of Comanche Street.

Certain incentives will be used for the acquisition and/or removal of the abandoned structures and a tax rebate incentive will be available for certain improvements within the Area.

In accordance with the provisions of KSA 1996 Suppl, 12-17, 114, et. seq., the City Commission held a public hearing and considered the existing conditions and alternatives with respect to the designated areas, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Commission carefully reviewed, evaluated and determined the areas meet one or more of the conditions to be designated as a “neighborhood revitalization area”.

**SECTION II: ASSESSED VALUATION OF REAL PROPERTY**

The total assessed valuation for the parcels contained in the defined plan area is:

Land  
Improvements  
Total Assessed Valuation

The assessed valuation of each individual parcel in the Area can be accessed through the County Appraiser’s Office which is located at the Ford County Government Center, 100 Gunsmoke, Dodge City.

**SECTION III: LEGAL DESCRIPTION AND MAP OF REVITALIZATION AREA**

Legal Description

Generally, the reinvestment zone is all areas within the contiguous Dodge City limits as defined by Resolution No. 2009-27 south of the south street right-of-way of Comanche Street, containing 4977 acres (7.78 square miles), more or less.

Map

A map outlining the Neighborhood Revitalization Area and depicting the existing parcels of real estate therein is on file at the Dodge City Development Services Department. (Exhibit A)

## **SECTION IV: LISTING OF OWNERS OF RECORD IN AREA**

Each owner of record of each parcel of land may be accessed through the County Appraiser's Office which is located at the Ford County Government Center, 100 Gunsmoke, Dodge City.

## **SECTION V: ZONING CLASSIFICATIONS AND FUTURE LAND USE MAP**

Zoning Classifications and Future Land Use Maps are available through contacting the Director of Development Services at City Hall, 806 Second Ave., Dodge City.

## **SECTION VI: EXPANSION OR CAPITAL IMPROVEMENTS PLANNED AND MUNICIPAL SERVICES PROVIDED FOR THE AREAS**

### **Public Safety**

Replace & Maintain Fire Equipment  
Ongoing Fire Hydrant Replacement Program  
Ongoing Police Protection Services  
Ongoing Fire Protection Services

### **Community Projects/Services**

Operation of the Public Transportation Program  
Operation of Cemetery  
Operation and/or Support of Why Not Dodge Projects  
Snow Removal and Equipment Replacement  
Street Lighting Program

### **Transportation – Streets**

Annual Street Maintenance Program – Mill and Overlay Program  
Reconstruction of West Wyatt Earp  
Directional/Attraction Signing for Municipal Services, Local Business and Events  
Street Construction for New Developments

### **Transportation – Signals**

Continued Maintenance of Existing Signal Locations  
Continue Support of County Emergency Siren Program

### **Transportation – Bridges**

Complete Annual Bridge Inspections as Necessary and Perform Maintenance as Needed  
Participate in Repairs on the South 14<sup>th</sup> Bridge

### **Solid Waste**

Continue operation of Sanitation Services  
Continue operation of Recycling Programs

### **Stormwater**

Maintain Federal Emergency Management Flood Insurance Program  
Continue Enforcement of Stormwater Detention and Soil Erosion for New Development  
Comply with all regulations in compliance with NPDES  
Stormwater Inlet Annual Cleaning/Maintenance

### **Parks and Recreation**

Continue operation of Sheridan Activity Center  
Continue operation of Year Around Recreation Programs  
Continue operation of City Public Parks  
Continue to Offer and Develop Parks & Recreation Programs  
Add and Maintain Walking/Bike Trails  
Complete Park Improvements

### **Water Pollution Control**

Continue Operation of Sewer Utility  
Ongoing Sewer System Maintenance  
Main Extensions for New Developments  
Waste Reclamation Plant Construction and existing Plant Upgrades  
Manhole Rehabilitation/Replacements  
Maintain and Upgrade Lift Stations

### **Water Projects**

Ongoing Water Utility Maintenance Including Meter Replacement  
Control Water Loss  
Main Extensions for New Developments  
Water Well and Water Storage Facility Maintenance  
Construct new Water Wells

## **SECTION VII: STATEMENT SPECIFYING ELIGIBILITY REQUIREMENTS FOR A TAX REBATE FOR RESIDENTIAL CONSTRUCTION**

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.

Construction of new residential structures, including the conversion of all or part of a non-residential structure into a residential structure, shall be eligible.

Residential property must be located within the appropriate zoning districts to be eligible.

Improvements to detached accessory structures to a residence such as garages, workshops and storage sheds are eligible. Improvements such as swimming pools, gazebos, etc., shall not be eligible.

Improvements to or placement of any manufactured or mobile home shall not be eligible for a tax rebate under this plan. For purposes of this plan, manufactured home and mobile home are defined in K.S.A. 58-4202 (a) and (b) respectively.

#### **SECTION VIII: CRITERIA FOR DETERMINATION OF ELIGIBILITY**

1. Construction of an improvement must have been commenced on or after December 21, 2009, the effective date of enactment of the tax rebate program, as documented by a building permit.
2. The minimum investment of an improvement shall be \$15,000.00 as documented by a building permit.
3. The minimum increase in assessed valuation shall be 5% for residential property as determined by the Ford County Appraiser following partial or total completion of the improvement.
4. Property eligible for tax incentives under any other program adopted pursuant to statutory or constitutional authority shall be eligible to submit only one application per project.
5. 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. This includes the new as well as the existing improvements on the property.
6. 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.
7. An owner 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.
8. No application shall be considered for an improvement for which an unresolved tax protest has been filed.
9. Renovation of any property on the local, state or national register of historic places will be considered to receive a rebate of up to 100% for 10 years.

#### **SECTION IX: CONTENTS OF APPLICATION FOR TAX REBATE**

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

##### Application 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 use of property
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

Application 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 of tax and special assessment status
4. City Clerk's statement of utility billing status
5. Director of Development Services statement of program conformance

**SECTION X: PROCEDURES TO SUBMIT APPLICATION**

1. The applicant shall obtain an Application for Tax Rebate from the Development Services Department when obtaining a building permit.
2. The applicant shall complete and sign Part 1 of the application and file the original with the City Development Services Department within sixty (60) calendar days following issuance of the building permit.
3. The City Development Services Department shall forward the application to the Ford 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 Development Services.
5. The applicant shall certify the status of the improvement project as of January 1 following the completion of construction by completing and signing Part 2 of the application. The applicant shall file the application with the Development Services office on or before December 1, preceding the commencement of the tax rebate period.
6. Upon notification by Development Services, 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 the Appraiser's portion of the application and shall 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.
7. Upon determination by the County Appraiser's Office that the improvements meet the percentage test for rebate, determination by the County Clerk's office that the taxes and assessments on the property are not delinquent and determination by the City Clerk that utility billings are current and determination by City Development Services Department that the project is complete and application meets the requirements for a tax rebate, the Development Services Office shall seek a recommendation for approval from the Housing Incentive Committee.

8. The Development Services Office in coordination with the County Clerk and County Appraiser's office, will notify the applicant and the County Treasurer's Office of the rebate percentage due for each year of the rebate period.
9. 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 applicant will submit their receipt of tax payment to the Development Services Office. Within (60) calendar days following due date of payment and submittal of a receipt by the Development Services Office to the County Treasurer's office, the tax rebate shall be made from the Neighborhood Revitalization Fund established by Ford County in conjunction with the other taxing units participating in an Interlocal Agreement. The Development Services Department will make periodic reports on the tax rebate program to the governing bodies of the participating taxing units.
10. The Development Services office shall inform the County Clerk and County Treasurer's Office thirty (30) calendar days prior to the expiration of the final rebate period for each property receiving a tax rebate.

**SECTION XI: 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, assessments and bill have been paid.
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 Commission for final determination.

**SECTION XII: REBATE FORMULA**

Amount and years of rebate eligibility:

<u>Year</u>	<u>Rebate</u>
1	95%
2	95%
3	95%
4	95%
5	95%



Dodge City  
Neighborhood Revitalization  
Application  
PART 1

Project # \_\_\_\_\_  
To be assigned by Development Services

SUBMIT WITHIN 60 DAYS of the building permit being issued, to:  
Development Services, City Hall, 806 2<sup>nd</sup> Avenue, Dodge City, Kansas  
620-225-8100

Applicant Name: \_\_\_\_\_ Day Phone No. \_\_\_\_\_

Address of Property: \_\_\_\_\_ School Dist #. USD 443

Applicant's Mailing Address: \_\_\_\_\_

Owner on Record: \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

Owner's Day Phone: \_\_\_\_\_

Legal Description of Property: \_\_\_\_\_

Parcel Identification Number: \_\_\_\_\_  
(Available on tax statement or call County Appraiser's Office)

Is this a Historically Designated Property?  Yes  No

Improvement Costs \$ \_\_\_\_\_ Building Permit # \_\_\_\_\_  
(Amount from Building Permit)

Date Building Permit Issued \_\_\_\_\_

Estimated or Actual Starting Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
(Day/Month/Year) (Month/Year)

Description of Project:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Age of Principal Building(s): \_\_\_\_\_

Occupancy Status during last 5 years  Vacant  Owner Occupied  Rental Unit(s)

Existing Property Use       Residential  Commercial       Industrial

**Proposed Property Use**

Under the correct use, please check a box for each number.

- RESIDENTIAL:      1)  New    Rehabilitation  Demolition
- 2)  Rental    Owner-Occupied
- 3)  Single Family    Multi-Family ( \_\_\_\_ # of Units)

**Application fees are \$ \_\_\_\_\_**

I have read and do hereby agree to follow all application procedures and criteria. I further understand that this application will be void one year from the date below if improvements or construction have not been started. I also understand that any taxing entity may terminate this agreement with 30 days notice at any time.

\_\_\_\_\_  
Signature of Applicant or Owner  
Please be legible

\_\_\_\_\_  
Date

**FORD COUNTY APPRAISER'S USE ONLY**

**Based upon the above listed improvements and associated costs supplied by the applicant, the improvement will meet the terms for a tax rebate:**

YES     NO     POSSIBLY

The appraised value of this property is \$ \_\_\_\_\_

The appraised value of the land is \$ \_\_\_\_\_

The appraised value of the structure is \$ \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_  
(Ford County Appraiser's Office) (Year)

Dodge City  
Neighborhood Revitalization Plan  
Application  
PART 2

PROJECT COMPLETE

Project # \_\_\_\_\_  
To be assigned by Development Services

**SUBMIT BEFORE DECEMBER 1 OF THE YEAR THE PROJECT IS COMPLETE to:**  
City of Dodge City, Development Services Department, PO Box 880, Dodge City, Kansas 67801  
620-225-8100

Applicant's Name \_\_\_\_\_ Day Phone No. \_\_\_\_\_

Owner's Name of Record: \_\_\_\_\_ Day Phone No. \_\_\_\_\_

Address of Revitalized Property: \_\_\_\_\_

Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_  
(Month/Year) (Month/Year)

Improvement Costs \$ \_\_\_\_\_  
(Amount from Building Permit)

Building Permit # \_\_\_\_\_

Date Building Permit Issued \_\_\_\_\_

Signature of Applicant or Owner \_\_\_\_\_  
Please be legible

\_\_\_\_\_ Date  
(Day/Month/Year)

FOR OFFICE USE ONLY

REVIEW:

County Appraiser Starting Value \_\_\_\_\_ Ending Value \_\_\_\_\_ % Increase \_\_\_\_\_  
 Proceed (Required increase in value is met)  Do not Proceed (Required increase is NOT met)

Sign \_\_\_\_\_

County Clerk/Treasurer Tax Status  PAID - Proceed  NOT PAID- Do NOT Proceed

Special Assessment Status \_\_\_\_\_

Sign \_\_\_\_\_

City Clerk Utility Billing Status  PAID - Proceed  NOT PAID- Do NOT Proceed

Sign \_\_\_\_\_

Director of Development Services  Proceed  Do not Proceed: Explanation \_\_\_\_\_

Sign \_\_\_\_\_

Housing Incentive Committee  Proceed  Do not Proceed: Explanation \_\_\_\_\_