

CITY OF ARKANSAS CITY

NEIGHBORHOOD REVITALIZATION PLAN

Ordinance 2020-11-4524

Adopted: November 3, 2020 Effective: January 1, 2021

Expires: December 31, 2030



Table of Contents

Purpose and Factual Findings	2
Neighborhood Revitalization Districts.....	2
Appraised Valuation of Real Property	5
Names and Addresses of Owners of Record.....	5
Zoning Classifications, Districts and Land Use Maps	5
Criteria for Determination of Eligibility	8
Projects Eligible for a Tax Rebate	9
Contents of Application for Tax Rebate	9
APPLICATION FOR TAX REBATE	10
Procedure for Submission of an Application	12
Statement Specifying Rebate Formula.....	12
EXHIBIT 1: Statutory Authority	13
EXHIBIT 2: Public Hearing and Adopting Ordinance.....	16
EXHIBIT 3: Interlocal Agreement	17

Purpose and Factual Findings

This plan is required by state statute (K.S.A. 12-17,114 et seq.) in order to create an incremental tax rebate program intended to encourage reinvestment and improvement of areas of decline or areas of architectural or historical significance within the community pursuant to the Kansas Neighborhood Revitalization Act. The components of the plan include establishing the Neighborhood Revitalization Area boundaries, proposals for improving municipal services and establishing local eligibility criteria and application procedures for the tax rebate program. A tax rebate incentive based on the incremental increase of qualified improvements will be available to property owners in the designated Neighborhood Revitalization District.

The Neighborhood Revitalization Plan serves as the City's strategy to stimulate and promote the revitalization of areas in the City of Arkansas City, Kansas, through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the Neighborhood Revitalization Areas and the municipality as a whole.

Purposes for implementing a Neighborhood Revitalization Plan include:

- Stabilize declining neighborhoods by rehabilitation of older homes
- Provide incentives for affordable housing to persons with limited resources
- Encourage property owners to improve homes
- Encourage additions to existing housing
- Encourage infill housing
- Encourage improvement of rental housing
- Eventually increase tax base and make affordable housing more available

In accordance with the provisions of K.S.A. 12-17,114 et seq., the City Commission has 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. The City Commission has carefully reviewed, evaluated and determined that the areas meet one or more of the conditions to be designated as a neighborhood revitalization area or dilapidated structure.

The City previously has adopted other Neighborhood Revitalization Plans, to apply to different areas within the City. This Plan is intended to replace those in full, to provide one comprehensive plan applicable to all areas eligible for this incremental tax rebate program, as those areas are described herein. To that end, this Plan is the only Neighborhood Revitalization Plan in effect in the City of Arkansas City, from and after the date of execution of the Interlocal Agreement authorizing same.

Neighborhood Revitalization Districts

The City's Neighborhood Revitalization Districts include those areas described below and shown on the Neighborhood Revitalization Districts map:

District 1:

All that property within the City Limits of Arkansas City except that property within the Historic District.

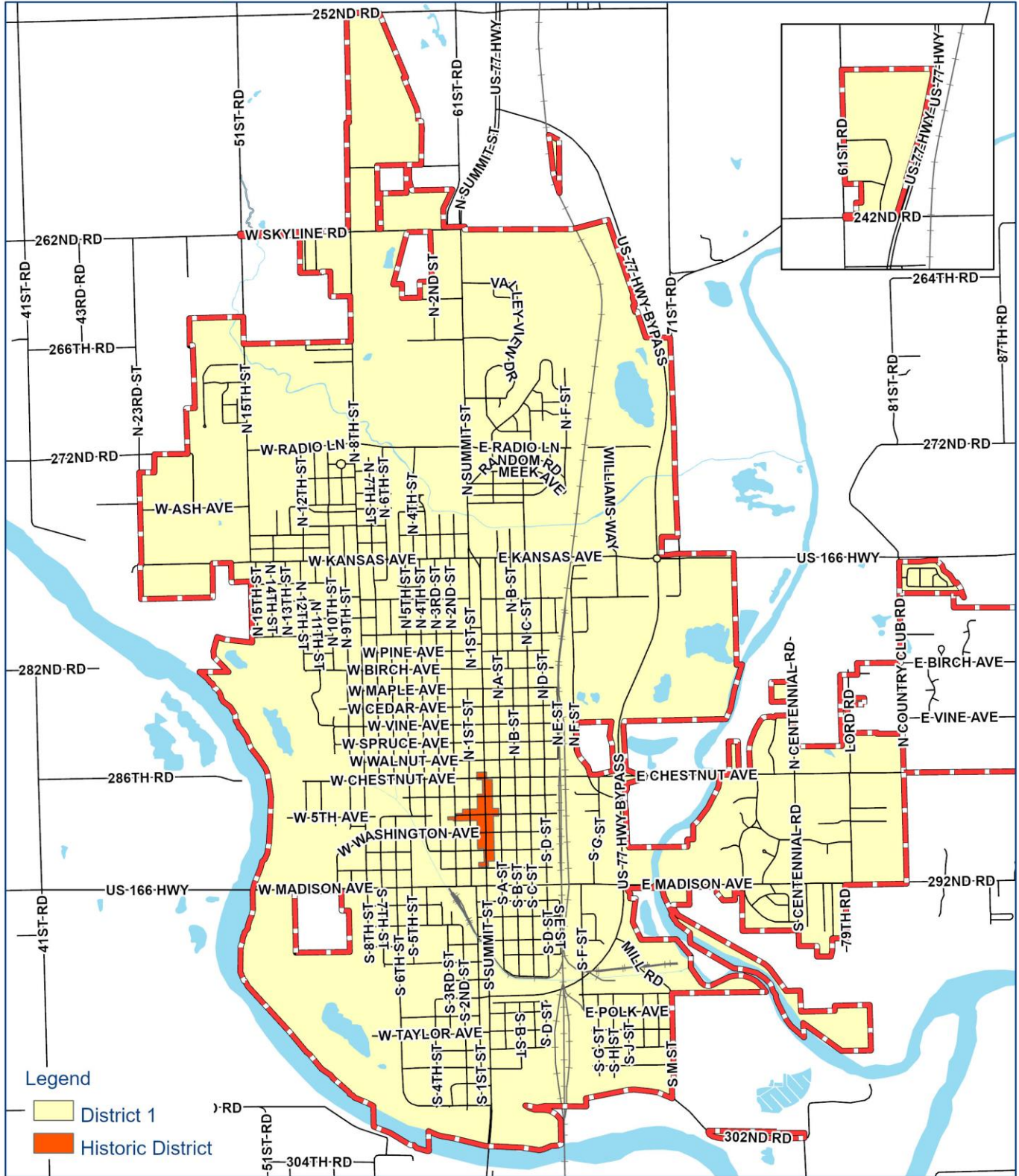
Historic District:

A tract of land situated in Blocks 67, 68, 69, 70, 71, 78, 80, 81, 82, 83, 86, 87 and 93 of the Original Town of Arkansas City, including the internal alleys and road right-of-ways being more particularly described as follows:

Beginning at the Southwest corner of Lot 15, Block 83, thence North to the Northwest Corner of Lot 18 of said Block 83; thence East to the Northeast Corner of Lot 18 of said Block 83; thence North to the Southeast Corner of Lot 15, Block 82; thence West to the Southeast Corner of Lot 14 of said Block 82; thence North to the Southeast Corner of Lot 4, Block 81; thence West to the Southeast Corner; thence West to the Southeast Corner of Lot 25, Block 93; thence North to the Northwest Corner of Lot 28 of said Block 93; thence East to the Northwest Corner of Lot A, Block 87; thence North to the Southwest Corner of Lot 26 Block 86; thence East to the Southwest Corner of Lot 1 of said Block 86; thence North to the Northwest Corner of Lot 4 of said Block 86; thence East to the Northwest Corner of Lot 11, Block 80; thence North to the Southwest Corner of Lot 14, Block 79; thence East to the Southeast Corner of Lot 14 of said Block 79; thence North to the Northeast Corner of Lot 1 of said Block 79; thence West to the Northwest Corner of Lot 1 of said Block 79; thence North to

the Northwest Corner of Lot 4 of Block 78; thence East to the Northwest Corner of Lot 11, Block 66; thence South to the Northwest Corner of Lot 1, Block 67; thence East to the Northeast Corner of Lot 1 of said Block 67; thence South to the Southeast Corner of Lot 10, Block 68; thence East to the Northeast Corner of Lot 18 of said Block 68; thence South to the Northeast Corner of Lot 28, Block 69; thence West to the Northwest Corner of Lot 28 of said Block 69; thence South to the Northwest Corner of Lot 19, Block 71; thence West to the Northwest Corner of Lot 10 of said Block 71; thence South to the Southwest Corner of Lot 14 of said Block 71; thence West to the Point of Beginning containing 20.77 acres more or less.

Neighborhood Revitalization Districts



Produced by the City of Arkansas City GIS using the best available data to date. The City makes no warranty or representation, expressed or implied, with respect to the data displayed. August 19, 2020



Appraised Valuation of Real Property

The current assessed and appraised valuation of each parcel of real estate located with the Neighborhood Revitalization Districts, including land and building values, is available from the City of Arkansas City Neighborhood Services Office, at the Cowley County Appraiser's Office 321 E 10th Ave Winfield, KS 67156 or via the Cowley County Appraiser's website <https://www.cowleycounty.org/departments/Appraiser>.

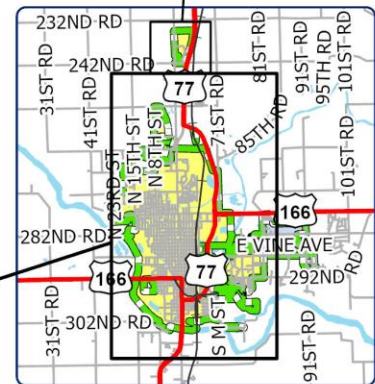
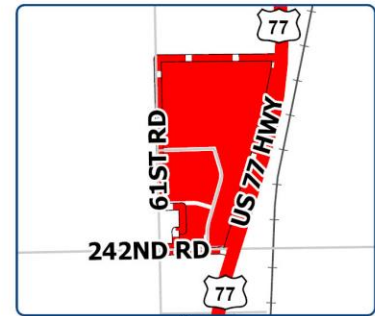
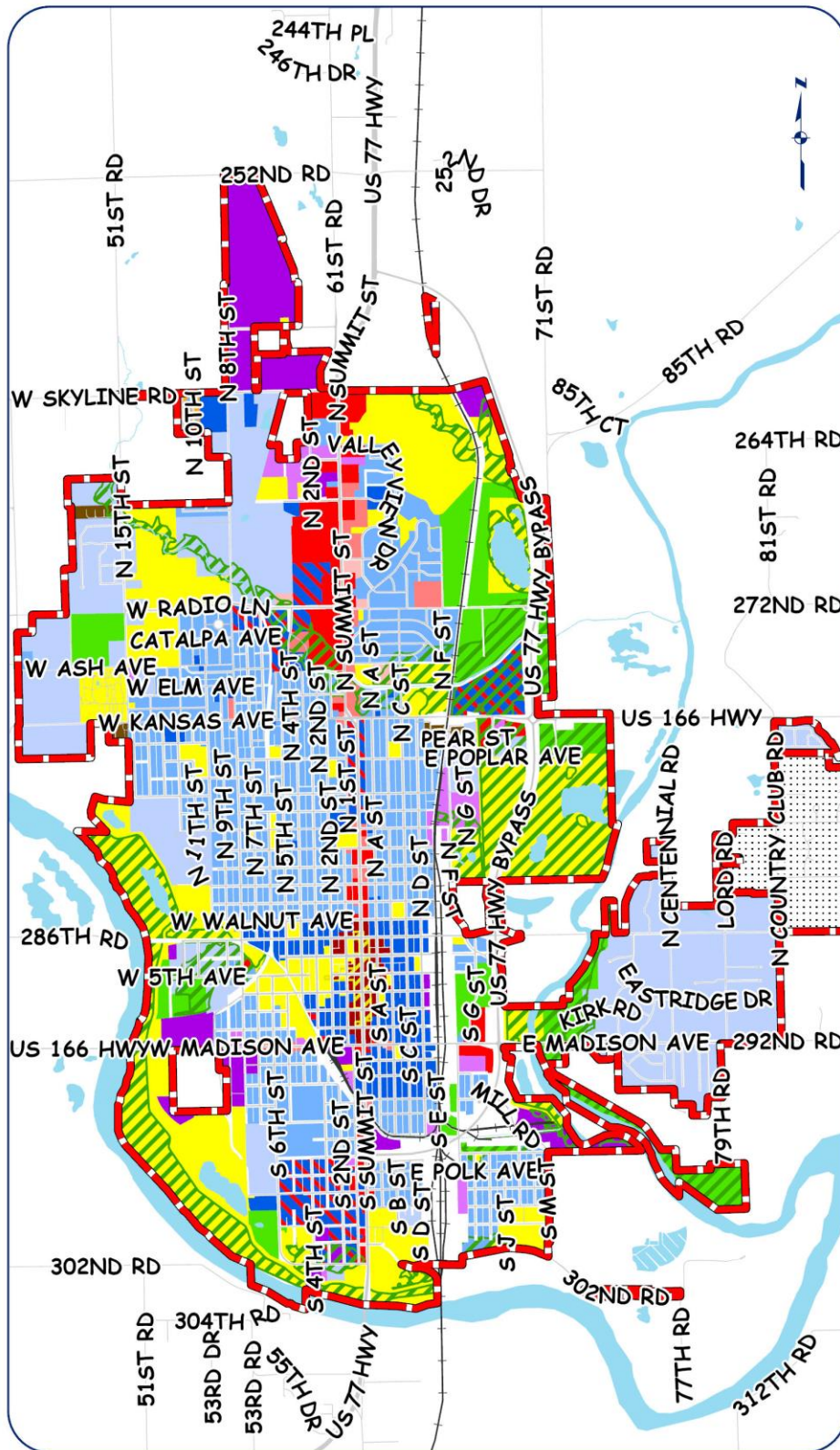
Names and Addresses of Owners of Record

The names of owners of record and addresses of each parcel of real estate located with the Neighborhood Revitalization Districts are available from the City of Arkansas City Neighborhood Services Office, at the Cowley County Appraiser's Office 321 E 10th Ave Winfield, KS 67156 or via the Cowley County Appraiser's website <https://www.cowleycounty.org/departments/Appraiser>.

Zoning Classifications, Districts and Land Use Maps

Maps detailing the zoning districts found within the Neighborhood Revitalization Districts and a copy of the future land use map from the 2013 Comprehensive Plan are made a part of this plan and follow below. Current versions of these maps are available in the Neighborhood Services office or at <https://arkansascityks.gov/>

Arkansas City Zoning Districts



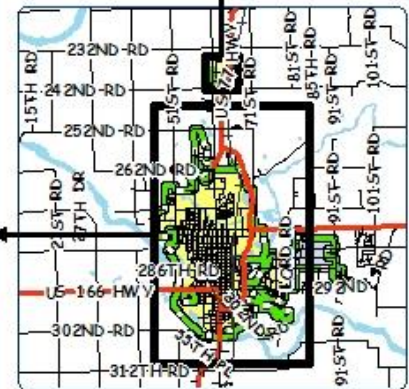
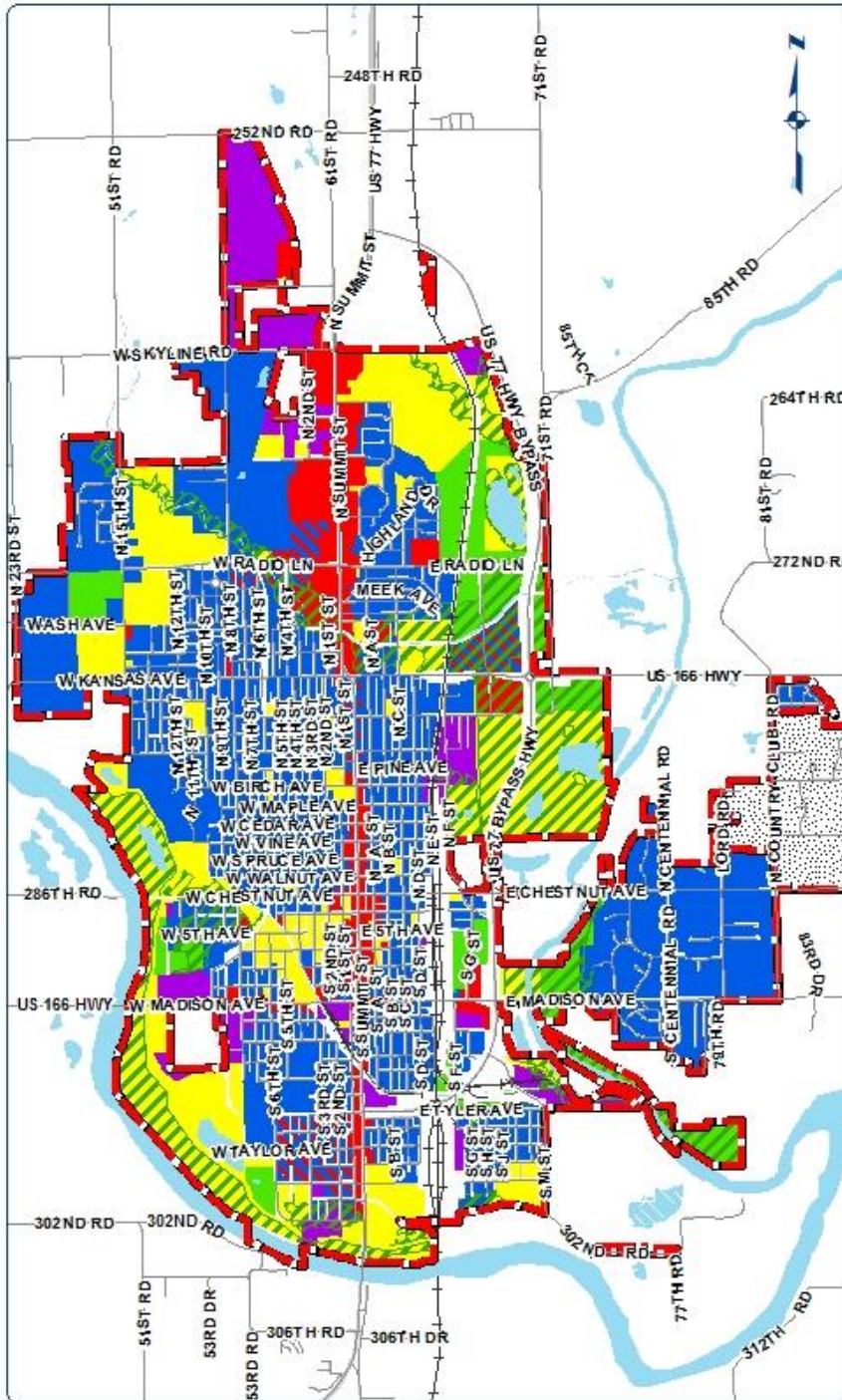
Legend

- City Limits
- Zoning Districts**
- A, Agricultural District
- R-1, Low Density Residential District
- R-2, Medium Density Residential District
- R-3, High Density Residential District
- C-1, Office and Service Business District
- C-2, Restricted Commercial District
- C-3, General Commercial District
- C-4, Central Business District
- MP, Manufactured Home Park District
- I-1, Light Industrial District
- I-2, Heavy Industrial District
- P, Public Use District
- MU, Mixed Use District
- FP-O, Floodplain Management Overlay District
- HC-O, Historic Conservation Overlay District
- HO-O, Housing Opportunity Overlay District

Effective Date: November 19, 2019
 Produced by the City of Arkansas City GIS using the best available data to date.
 The city makes no warranty or representation, expressed or implied, with respect to the data displayed. This map is a portion of the official zoning map. It is effective as of the date shown above.
 Produced: August 20, 2020



Future Land Use Map



Legend

- City Limits
- Right of Way (22.9%)
- Agriculture (6.3%)
- Countryside (0%)
- Residential (34.2%)
- Commercial (7.7%)
- Industrial (5.4%)
- Mixed Use (2.6%)
- Public (20.9%)
- Floodplain (18.8%)*

*Floodplain is an overlay so numbers add to more than 100%

Produced by the City of Arkansas City GIS using the best available data to date. The city makes no warranty or representation, expressed or implied, with respect to the data displayed. February 15, 2017

**ADOPTED
MARCH 4, 2014**



Improvements Planned for the Revitalization Areas

Public Safety

- Rehab/Replace Fire Trucks/Ambulances
- Replace Police Cars
- Study Police/Fire Facilities

Transportation

- Residential Overlay
- Chip and Seal Streets
- Brick street rehabilitation
- Sidewalks
- Complete Streets/Safe Routes to School

Parks & Recreation

- Expand Hike/Bike trails
- Wilson Park Improvements
- Paris Park Improvements
- Improve existing parks

Utilities

- Replace Water Lines
- Replace Sewer Lines
- Upgrade Sewer Plant
- Storm water Fee Study

Criteria for Determination of Eligibility

- All property located within the neighborhood revitalization districts shall be eligible for the program.
- Construction of improvements must begin on or after the application date. No applications will be accepted for completed or under construction improvements, unless this Plan is amended to include the applicant's location after construction begins, but before construction is substantially complete. In that case, the application shall be filed within 10 days of approval of this Plan amendment or any Plan amendment expanding the NRP area.
- The minimum investment in an improvement is \$5,000. Improvements must also increase the appraised value at least 5%.
- Properties receiving other financial incentives shall be ineligible for this program. This includes improvements in a tax increment finance (TIF) district, or Industrial Revenue Bonds (IRB) or other similar tax abatement or incentive programs.
- The improvements must conform to the City of Arkansas City's Comprehensive Plan, Subdivision Regulations, Zoning Regulations, and Building codes in effect at the time the improvements are made.
- New, as well as existing improvements on the property must conform to all applicable codes, rules, laws, ordinances and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- If the applicant has any property in Cowley County (real estate or personal property) that is delinquent in any tax payment or special assessment, they shall not be eligible for any rebate until such time that all taxes and assessments have been paid. If such delinquency occurs after entry into the rebate program, the owner shall have no more than 90 days to bring the taxes current. If such delinquency continues beyond 90 days, the property shall no longer be eligible for a rebate under this program.
- The following improvements are not eligible for a tax rebate:
 - Railroads and utilities
 - Swimming pools, gazebos, new unattached garages and workshops.
 - Manufactured homes (except Residential Design Manufactured Homes)
 - Repairs or maintenance items (i.e. reroofing)
- The City Commission has the option for a case-by-case review of individual blighted properties located outside of the Neighborhood Revitalization Area by resolution. The City Commission also has the option to adjust rebates for individual properties located inside of the Neighborhood Revitalization Area on a case-by-case basis by resolution.

Projects Eligible for a Tax Rebate

Residential Property:

1. Rehabilitation, alterations and additions to any existing residential structure, including the alteration of a single-family home into a duplex dwelling, shall be 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. Improvements to existing or construction of new residential detached accessory structures such as garages, gazebos, storage buildings, workshops, swimming pools, etc., 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. Improvements to existing or construction of new structures used for public utility or railroad purposes shall not be eligible.

Contents of Application for Tax Rebate

Applicants for the Neighborhood Revitalization Act tax rebate program should include the following information and be submitted on the following form. Each application shall require a \$25 application fee.

Please note: *It is the responsibility of the person applying for this grant to obtain the necessary permits and meet any and all local, state, and federal laws/regulations/codes.*

Submitted to Neighborhood Services Division:
Fee and Application Received (Date):
Approval:
Submitted to Cowley County Appraisers Office:
1st page of Application Date:
Completed Application Date:
Building Permit Date:

APPLICATION FOR TAX REBATE

City of Arkansas City
Neighborhood Revitalization Program
(Please Print or Type)
PART 1-To be completed by Applicant

OWNER'S NAME: PHONE NO:

OWNER'S MAILING ADDRESS:

PROPERTY ADDRESS:

PARCEL IDENTIFICATION NUMBER:

(Take Parcel ID number and legal description from your tax statement or call the County Clerk's Office)

LEGAL DESCRIPTION OF PROPERTY:

(Use additional sheets if necessary)

IMPROVEMENT TYPE:

- [] New Residential [] New Commercial
[] Residential Rehab, Alteration, or Addition [] Commercial Rehab, Alteration, or Addition

PROPOSED IMPROVEMENTS (Be specific, Use additional sheets if necessary):

Table with 2 columns: IMPROVEMENT, BUILDING VALUE. Includes rows for individual improvements and a TOTAL BUILDING PERMIT VALUE row.

DATE CONSTRUCTION BEGINS: ESTIMATED COMPLETION:

BUILDING PERMIT NO (Attach copy):

LIST OF ALL IMPROVEMENTS TO BE DEMOLISHED (Use additional sheets if necessary):

Table with 2 columns: BUILDINGS DEMOLISHED, BUILDING VALUE. Includes rows for individual demolitions and a TOTAL DEMO PERMIT VALUE row.

DEMOLITION DATE: DEMOLITION PERMIT NO:

APPLICANT SIGNATURE: DATE:

PART 2

For City Use Only

THE ABOVE APPLICATION [] IS [] IS NOT IN CONFORMANCE WITH THE REQUIREMENTS OF THE CITY OF ARKANSAS CITY NEIGHBORHOOD REVITALIZATION PROGRAM.

REASON NOT IN CONFORMANCE: _____

BY: _____

DATE: _____

COMPLETION DATE: _____ REBATE PERIOD: _____

REBATE PERCENTAGE: _____

COMMENTS: _____

For County Appraiser's Use Only

Prior to Improvement: Land \$ _____ Building \$ _____ Total \$ _____

After Improvement: Land \$ _____ Building \$ _____ Total \$ _____

Amount Subject to Rebate: Land \$ _____ Building \$ _____ Total \$ _____

BY: _____

DATE: _____

(Cowley County Appraiser's Office)

For County Clerk's Use Only

AS OF _____ TAXES AND SPECIAL ASSESSMENTS ON THIS PARCEL OF PROPERTY ARE
[] CURRENT [] NOT CURRENT

BY: _____

DATE: _____

(Cowley County Clerk's Office)

Procedure for Submission of an Application

Complete Part 1: Prior to the commencement of construction on any improvement or new construction, the property owner must complete and submit to the Neighborhood Services Office, Part 1 of the Application together with a non-refundable \$25.00 application fee payable to the City.

Preliminary Approval and County Inspection: The City will forward the application to the County after certifying the application, property, and proposed improvements meet the requirements of this plan. An appointment with the County Appraiser's Office may be required to do a preliminary inspection prior to starting the project especially for interior remodels. Contact them at 620-441-4550 to set up the appointment.

The Owner will have a maximum of one year to complete the improvements. Applicants are not allowed to phase-in improvements and a property may only have one active rebate at a time.

The Building Official or his designee will perform the final inspections and, if approved, will issue the Certificate of Occupancy.

After the application is completed by the City, it will be forwarded to the County, certifying the property and improvements are in compliance with the plan. The County Appraiser will report the new valuation to the County Clerk according to their procedures.

The County Appraiser will determine the rebate amount to be given minus a 5% administrative fee. The County Treasurer will pay out rebates 30 days after payment of the taxes due unless the appraised value has been appealed. Rebates shall be paid to the owner of record unless a land contract or other legal document is presented to the County Treasurer stating otherwise. The County Treasurer shall make the final determination on the recipient of the rebate.

Statement Specifying Rebate Formula

Program Period:

- The Neighborhood Revitalization fund and tax rebate incentive program shall expire on December 31, 2030

Rebate Period:

Residential	10 years
Commercial and Industrial	7 years
Historic District (commercial or residential)	10 years

Rebate Amount:

Single Family Residential

- 90% of the first \$250,000 in additional value from the improvements.
- Rebate of taxes on additional new value beyond \$250,000 is not permitted under this program.

Multi-family Residential

- 90% of the first \$250,000 in additional value from the improvements per housing unit.
- Rebate of taxes on additional new value beyond \$250,000 per housing unit is not permitted under this program.

Commercial and Industrial

- 75% of the first \$500,000 in additional value from the improvements.

Historic District (all development)

- 100%

5% of the tax increment rebate of improvements may be retained by Cowley County to offset expenses and handling costs of the Neighborhood Revitalization Program.

EXHIBIT 1: Statutory Authority

12-17,114. Neighborhood revitalization; title of act. This act shall be known and may be cited as the Kansas neighborhood revitalization act.

History: L. 1994, ch. 242, § 10; July 1.

12-17,115. Same; definitions. As used in this act:

(a) "Dilapidated structure" means a residence or other building which is in deteriorating condition by reason of obsolescence, inadequate provision of ventilation, light, air or structural integrity or is otherwise in a condition detrimental to the health, safety or welfare of its inhabitants or a residence or other building which is in deteriorating condition and because of age, architecture, history or significance is worthy of preservation.

(b) "Municipality" means any municipality as defined by K.S.A. [10-1101](#), and amendments thereto.

(c) "Neighborhood revitalization area" means:

(1) An area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare;

(2) an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use; or

(3) an area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

(d) "Governing body" means the governing body of any municipality.

(e) "Increment" means that amount of ad valorem taxes collected from real property located within the neighborhood revitalization area or from dilapidated structures outside the revitalization area that is in excess of the amount which is produced from such property and attributable to the assessed valuation of such property prior to the date the neighborhood revitalization area was established or the structure was declared dilapidated pursuant to this act.

History: L. 1994, ch. 242, § 11; L. 1996, ch. 228, § 8; July 1.

12-17,116. Same; designation of revitalization area; findings. The governing body of any municipality may designate any area within such municipality as a neighborhood revitalization area if the governing body finds that one or more of the conditions as described in subsection (c) of K.S.A. [12-17,115](#), and amendments thereto, exist and that the rehabilitation, conservation or redevelopment of the area is necessary to protect the public health, safety or welfare of the residents of the municipality. The governing body may declare a building outside of a neighborhood revitalization area to be a dilapidated structure if the structure satisfies the conditions set forth in subsection (a) of K.S.A. [12-17,115](#).

History: L. 1994, ch. 242, § 12; L. 1996, ch. 228, § 9; July 1.

12-17,117. Same; revitalization plan, contents; notice and hearing. (a) Prior to designating an area as a neighborhood revitalization area or a structure to be a dilapidated structure, the governing body shall adopt a plan for the revitalization of such area or designation of a dilapidated structure. Such plan shall include:

(1) A legal description of the real estate forming the boundaries of the proposed area and a map depicting the existing parcels of real estate;

(2) the existing assessed valuation of the real estate in the proposed area, listing the land and building values separately;

(3) a list of names and addresses of the owners of record of real estate within the area;

(4) the existing zoning classifications and district boundaries and the existing and proposed land uses within the area;

- (5) any proposals for improving or expanding municipal services within the area including, but not limited to, transportation facilities, water and sewage systems, refuse collection, road and street maintenance, park and recreation facilities and police and fire protection;
 - (6) a statement specifying what property is eligible for revitalization and whether rehabilitation and additions to existing buildings or new construction or both is eligible for revitalization;
 - (7) the criteria to be used by the governing body to determine what property is eligible for revitalization;
 - (8) the contents of an application for a rebate of property tax increments authorized by K.S.A. [12-17,118](#), and amendments thereto;
 - (9) the procedure for submission of an application for a rebate of property tax increments authorized by K.S.A. [12-17,118](#), and amendments thereto;
 - (10) the standards or criteria to be used when reviewing and approving applications for a rebate of property tax increments authorized by K.S.A. [12-17,118](#), and amendments thereto;
 - (11) a statement specifying the maximum amount and years of eligibility for a rebate of property tax increments authorized by K.S.A. [12-17,118](#); and
 - (12) any other matter deemed necessary by the governing body.
- (b) Prior to declaring a building to be a dilapidated structure, the governing body shall do the following:
- (1) Obtain a legal description of the property to be declared dilapidated;
 - (2) determine the assessed value of the property to be declared a dilapidated structure, with separate values established for the land and structure;
 - (3) determine the owner of record of the structure.
- (c) Prior to adopting a plan pursuant to this section, the governing body shall call and hold a hearing on the proposal. Notice of such hearing shall be published at least once each week for two consecutive weeks in a newspaper of general circulation within the municipality. Following such hearing, or the continuation thereof, the governing body may adopt such plan.

History: L. 1994, ch. 242, § 13; L. 1996, ch. 228, § 10; July 1.

12-17,118. Same; neighborhood revitalization fund; application for tax rebates; impact on state aid to school districts.

(a) Following adoption of a plan pursuant to K.S.A. [12-17,117](#) and amendments thereto, the governing body shall create a neighborhood revitalization fund to finance the redevelopment of designated revitalization areas and dilapidated structures and to provide rebates authorized by this section. Moneys may be budgeted and transferred to such fund from any source which may be lawfully utilized for such purposes. Any municipality may expend money from the general fund of such municipality to accomplish the purposes of this act.

(b) Moneys credited to such fund from annually budgeted transfers shall not be subject to the provisions of K.S.A. [79-2925](#) through [79-2937](#), and amendments thereto. In making the budget of the municipality, the amounts credited to, and the amount on hand in, such neighborhood revitalization fund and the amount expended therefrom shall be shown thereon for the information of taxpayers. Moneys in such fund may be invested in accordance with K.S.A. [10-131](#), and amendments thereto with the interest credited to the fund.

(c) If the governing body determines that money which has been credited to such fund or any part thereof is not needed for the purposes for which so budgeted or transferred, the governing body may transfer such amount not needed to the fund from which it came and such retransfer and expenditure shall be subject to the provisions of K.S.A. [79-2925](#) through [79-2937](#), and amendments thereto.

(d) Any increment in ad valorem property taxes levied by the municipality resulting from improvements by a taxpayer to property in a neighborhood revitalization area or to a dilapidated structure may be credited to the fund for the purpose of returning all or a part of the property increment to the taxpayer in the form of a rebate. Applications for rebates shall be submitted in the manner and subject to the conditions provided by the revitalization plan adopted under K.S.A. [12-17,117](#) and amendments thereto. Upon approval of an application received hereunder the municipality shall rebate all or a part of incremental increases in ad valorem property tax resulting from the improvements. Upon payment of taxes by the

taxpayer, the rebate must be made within 30 days after the next distribution date as specified in K.S.A. [12-1678a](#), and amendments thereto.

(e) No later than November 1 of each year the county clerk of each county shall certify to the state commissioner of education the assessed valuation amount of any school district therein for which tax increment rebates have been made by the school district during the previous year in accordance with an interlocal agreement approved by the board of education of such district under the provisions of K.S.A. [12-17,119](#) and amendments thereto. The amount of the assessed valuation shall be determined by dividing the total amount of tax increment rebates paid by the district during the preceding 12 months by the total of the ad valorem tax levy rates levied by or on behalf of the district in the previous year. The commissioner of education shall annually deduct the certified amounts of assessed valuation for such rebates from the total assessed valuation of the district in determining the total and per pupil assessed valuations used in the allocation of state aid payments to school districts.

History: L. 1994, ch. 242, § 14; L. 1996, ch. 228, § 11; L. 1997, ch. 97, § 3; July 1.

12-17,119. Same; interlocal agreements. Any two or more municipalities may agree pursuant to K.S.A. [12-2901](#) et seq., and amendments thereto, to exercise the powers and duties authorized by this act.

History: L. 1994, ch. 242, § 15; July 1.

12-17,120. Same; act not exclusive authority for revitalization. This is enabling legislation for the revitalization of neighborhood areas and is not intended to prevent cities and counties from enacting and enforcing additional laws and regulations on the same subject which are not in conflict with the provisions of this act.

History: L. 1994, ch. 242, § 16; July 1.

EXHIBIT 2: Public Hearing and Adopting Ordinance

(First published in the Cowley CourierTraveler November 6, 2020.)

ORDINANCE NO. 2020-11-4524

AN ORDINANCE ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN (NRP) AND DESIGNATING NEIGHBORHOOD REVITALIZATION AREAS, IN ACCORDANCE WITH K.S.A. 12-17,114 ET SEQ.

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, desires to adopt a plan to assist with the rehabilitation, conservation or redevelopment of certain designated areas within the City of Arkansas City, Kansas; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, pursuant to Notice of Hearing, did hold a public hearing on November 3, 2020, to hear and consider public comment on the proposed Neighborhood Revitalization Plan.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The Governing Body of the City of Arkansas City, Kansas, hereby adopts the Neighborhood Revitalization Plan, attached herein and incorporated by reference as if fully set forth herein.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby designates the real property as described within the Neighborhood Revitalization Plan as the Neighborhood Revitalization Area, finding that the following conditions exist within said area: 1) a predominance of buildings, which, by reason of dilapidation or obsolescence, are detrimental to the public health, safety and welfare; 2) a substantial number of deteriorating structures which impair the sound growth of the City, retards the provision of housing and constitutes an economic liability; and 3) a predominance of buildings which by reason of age, history or architecture are significant and should be restored to productive use; and finds that the rehabilitation, conservation, and redevelopment of said area is necessary to protect the health, safety and welfare of the residents of the City of Arkansas City, Kansas.

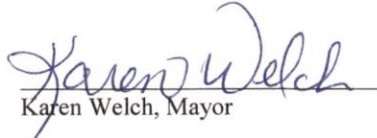
SECTION THREE: This ordinance shall take effect and be in full force from and after its adoption by the Governing Body of the City of Arkansas City, Kansas, and either (a) publication once in the official newspaper of the City or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, on this 3rd day of November, 2020.



ATTEST


Lesley Shook, City Clerk


Karen Welch, Mayor

APPROVED AS TO FORM:


Larry R. Schwartz, City Attorney

EXHIBIT 3: Interlocal Agreement

(First published in the Cowley CourierTraveler November 6, 2020.)

ORDINANCE NO. 2020-11-4525

AN ORDINANCE AUTHORIZING THE CITY OF ARKANSAS CITY, KANSAS, IN CONJUNCTION WITH OTHER PARTICIPATING GOVERNMENTAL TAXING ENTITIES, TO ENTER INTO AN INTERLOCAL AGREEMENT FOR INITIATION OF A NEIGHBORHOOD REVITALIZATION PLAN (NRP) PURSUANT TO K.S.A. 12-17,114 *ET SEQ.*, AND AUTHORIZING MAYOR KAREN WELCH AND CITY STAFF TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO CONSUMMATE THE PURPOSES AND INTENTS OF THIS LEGISLATIVE ENACTMENT.

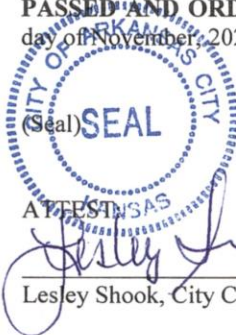
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS, IN CONJUNCTION WITH OTHER PARTICIPATING GOVERNMENTAL TAXING ENTITIES:

SECTION ONE: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the Mayor and any other required officials of the City of Arkansas City, Kansas, to execute an Interlocal Agreement pertaining to the initiation of a second Neighborhood Revitalization Plan created pursuant to K.S.A. 12-17,114, *et seq.* Such Agreement is attached hereto and incorporated by reference as if fully set forth herein.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes and directs the Mayor, City Clerk and/or City staff of the City of Arkansas City, Kansas, to execute any and all documents necessary to consummate the purposes and intents as expressed in this Legislative Enactment and, if executed by the Mayor (or another person authorized by law to act in the event of the absence or inability of the Mayor to act), the City Clerk or Deputy City Clerk is directed to attest to and affix the official Seal of the City thereupon. City staff is authorized to submit additional information as may be required and the City Manager shall act as the official representative of the City of Arkansas City, Kansas in this and subsequent related activities.

SECTION THREE: Upon ratification by all participating Governmental Agencies, counsel for the City of Arkansas City, Kansas, is authorized and directed to submit the Interlocal Agreement to the Attorney General for the State of Kansas for approval and thereafter to file the Agreement, as approved, with the Register of Deeds Office and the Kansas Secretary of State, all as provided and authorized by K.S.A. 12-2904, and all acts amendatory thereof or supplemental thereto.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, on this 3rd day of November, 2020.



Karen Welch

Karen Welch, Mayor

APPROVED AS TO FORM:

Larry R. Schwartz

Larry R. Schwartz, City Attorney

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT, entered into by and between the following governmental taxing entities, to-wit:

THE CITY OF ARKANSAS CITY, KANSAS,

herein referred to as "the CITY";

COWLEY COUNTY, KANSAS

herein referred to as "the COUNTY";

UNIFIED SCHOOL DISTRICT #470

herein referred to as "USD #470" AND,

COWLEY COUNTY COMMUNITY COLLEGE

herein referred to as "CCCC"; collectively referred to as "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, the Parties to this Agreement are all public agencies pursuant to K.S.A. § 12-2903, and therefore are capable of entering into such Interlocal Agreements; 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 by adopting a Neighborhood Revitalization Plan; and

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

WHEREAS, the Parties hereto have previously entered into Interlocal Cooperation Agreements for a Neighborhood Revitalization Plan, and it is the desire and intent of the parties to enter into another Interlocal Cooperation Agreement for a new Neighborhood Revitalization Plan.

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

1. The Parties agree to adopt the Neighborhood Revitalization Plan as attached hereto as Exhibit A, 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 of the Parties hereto. COUNTY will participate in the issuance of tax rebates in accordance with the Neighborhood Revitalization Plan by maintaining the Neighborhood Revitalization Fund pursuant to the *Kansas Neighborhood Revitalization Act* contained at K.S.A. § 12-17,114, *et seq.*, for the purpose financing the redevelopment of designated revitalization areas and dilapidated structures and to

provide Rebates. Any increment in property taxes received by the "CITY", the "COUNTY", "USD #470", or "CCCC", resulting from qualified improvements to property pursuant to the Neighborhood Revitalization Plan shall be credited to the County's Neighborhood Revitalization Fund. The parties acknowledge and agree that five percent (5%) of the 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.

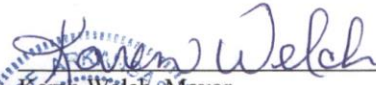
3. This Agreement shall not extend beyond December 31, 2030 without re-authorization of all governmental taxing authorities by Interlocal Agreement. The CITY covenants to undertake an annual review on or before February 15 of each year, to determine any modifications recommended for the effective and efficient administration of the Neighborhood Revitalization Plan and this Interlocal Agreement.


4. Any party may terminate this Agreement on any August 15, prior to December 31, 2030, by providing twelve (12) months notice in writing to the other parties to the Agreement with the understanding that any Application for Tax Rebate submitted prior to termination shall, if approved, be considered eligible for the duration of the rebate periods as contained in the **Program Period** of the Neighborhood Revitalization Plan.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

In affirmation of this *Interlocal Agreement* and the *Neighborhood Revitalization Plan*, the parties do hereby affix their signatures and bind themselves, their successors and assigns as to the faithful performance thereof, effective the date of ratification with each party acknowledging this *Interlocal Agreement* may be executed in counter-part, but shall constitute and be one Agreement, notwithstanding the fact it may be separately executed.


City of Arkansas City, Kansas



Karen Welch, Mayor
ATTEST:



Lesley Shock, City Clerk

Unified School District #470



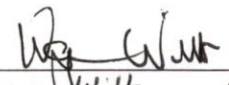
Jon Oak, Board President

ATTEST:



Sissy Kingsbury, Clerk of the Board

Cowley County, Kansas



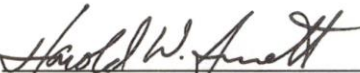
Wayne Witt, Chair of the Board

ATTEST:



Karen Madison, County Clerk

Cowley County Community College



Harold Arnett, Board Chair

ATTEST:



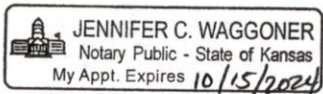
Tiffany Vollmer, Clerk of the Board

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF COWLEY)ss:

Be it remembered that on this 3rd day of November, 2020 before me the undersigned a Notary Public in and for the County and State aforesaid came Karen Welch, the Mayor of the City of Arkansas City, Kansas, a Municipal Corporation duly organized and existing pursuant to the laws of the State of Kansas and Lesley Shook, City Clerk of said Municipal Corporation, who are personally known to me to be the person(s) who executed as such Officers the foregoing instrument of writing on behalf of said Municipal Corporation and such persons duly acknowledged the execution of the same to be the act and deed of said Municipal Corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above appearing.



Jennifer C. Waggoner
Notary Public

My Appt Expires:

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF COWLEY)ss:

Be it remembered that on this 17 day of November, 2020, before me the undersigned a Notary Public in and for the County and State aforesaid came Wayne Wilt, Chairman of the Board of Cowley County Commissioners, a body corporate and politic duly organized and existing pursuant to the laws of the State of Kansas and Karen Madison, Clerk of the Board of Cowley County Commissioners, who are personally known to me to be the person(s) who executed as such Officers the foregoing instrument of writing on behalf of the Board of Cowley County Commissioners and such persons duly acknowledged the execution of the same to be the act and deed of Cowley County, Kansas.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above appearing.

My Appt Expires:



Lucas Allen Goff
Notary Public

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF COWLEY)ss:

Be it remembered that on this 23 day of November, 2020, before me the undersigned a Notary Public in and for the County and State aforesaid came Jon Oak, President of Unified School District #470, possessing the usual powers of a Corporation for public purposes pursuant to the Laws of the State of Kansas, and Sissy Kingsbury, Clerk of said School District, who are personally known to me to be the person(s) who executed as such Officers the foregoing instrument of writing on behalf of said Unified School District and such persons duly acknowledged the execution of the same to be the act and deed of said Unified School District.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above appearing.



Vicki L. Webb
Notary Public

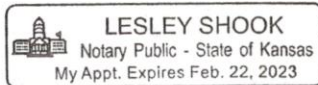
My Appt Expires: July 31, 2024

ACKNOWLEDGMENT

STATE OF KANSAS)
)
COUNTY OF COWLEY)ss:

Be it remembered that on this 16 day of November, 2020, before me the undersigned a Notary Public in and for the County and State aforesaid came Harold Arnett, Chairperson of the Board of Trustees of Cowley County Community College, organized and existing pursuant to the Laws of the State of Kansas, and Tiffany Volmer, Clerk of said Board of Trustees, who are personally known to me to be the person(s) who executed as such Officers the foregoing instrument of writing on behalf of said Board of Trustees and such persons duly acknowledged the execution of the same to be the act and deed of said Community College.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and affixed my official seal the day and year last above appearing.




Lesley Shook
Notary Public

My Appt Expires: February 22, 2023

The above and foregoing Interlocal Agreement is approved by the office of the Attorney General of the State of Kansas pursuant to K.S.A. § 12-2904(f), this 9th day of December 20.

OFFICE OF THE KANSAS ATTORNEY GENERAL

BY: 
Kansas Attorney General, or his designee
Richard D. Smith, AAG