

SPECIAL COUNCIL MEETING

We, the undersigned, members of the City Council of the City of Lindsborg, Kansas, do hereby request that you call a special meeting of the governing body at 6:30 p.m., February 5, 2020, in the City Hall Council Chambers, 101 S. Main, for the following purposes:

1. Rural Housing Incentive District Hearing
2. Ordinance No. 5214 – Establish a Rural Housing Incentive District and Plan for Development of Housing & Public Facilities

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CALL FOR A SPECIAL MEETING

To Members of the City Council:

I hereby grant your request for a special meeting of the governing body as requested above.

Becky Anderson, Mayor
City of Lindsborg

(Published in the *Lindsborg News-Record* on the 12th day of February, 2020)

ORDINANCE NO. 5214

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF LINDSBORG, KANSAS ESTABLISHING A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH THE STOCKHOLM ESTATES PHASE I RURAL HOUSING INCENTIVE DISTRICT RURAL HOUSING INCENTIVE DISTRICT)

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) with a population of less than 60,000 located in a county with a population of less than 80,000 to designate rural housing incentive districts within such city; and

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein, and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of rural housing incentive district within such city and adopt a plan for the development of housing and public facilities in the proposed district; and

WHEREAS, the City of Lindsborg, Kansas (the “City”) has an estimated population of 3,458 (2010) is located in McPherson County, Kansas which has a population of 29,180 (2010) and therefore constitutes a city as said term is defined in this act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis and adopted the same by Resolution 12-19 dated November 18, 2019 (the “Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted the above Resolution which made certain findings relating to the need for financial incentives for the construction of quality housing within the City, declared it advisable to establish a Rural Housing Incentive District pursuant to the Act and authorized the submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated December 11, 2019, authorized the City to proceed with the establishment of Rural Housing Incentive Districts pursuant to the Act (the "District"); and

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the proposed District in accordance with the provisions of the Act (the "Plan"); and

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5244;
2. The existing assessed valuation of the real estate in the proposed District, listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing body has received from such developer of developers, guaranteeing the financial feasibility of specific housing tax incentives projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, set forth the boundaries of the proposed District, provided a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for February 5, 2020 at 6:30 PM and provided for notice of such public hearing as provided in the Act.

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 01-20, dated January 6, 2020, which made a finding that the City is considering the establishment of the proposed District and adopting the proposed Plan pursuant to the Act, set forth the boundaries of the proposed District, provides a summary of the proposed Plan, called a public

hearing concerning the establishment of the proposed District for February 5, 2020 and provided for notice of such hearing as provided in the Act; and

WHEREAS, a public hearing was held on February 5, 2020 after due published and delivered notice in accordance with the provisions of the Act; and

WHEREAS, upon and considering the information and public comments received at the public hearing, the governing body of the City hereby deems it advisable to make certain findings to establish the proposed District and to adopt the proposed Plan.

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

Section 1. Findings. The Governing Body hereby finds that due notice of the public hearing conducted February 5, 2020 was made in accordance with the provisions of the Act.

Section 2. Creation of Rural Housing Incentive District. A Rural Housing Incentive District is hereby created within the City in accordance with the provisions of the Act, which shall consist of the following described real property in the Development, an addition to the City of Lindsborg, McPherson County, Kansas:

A tract of land located in the Northwest Quarter of Section 16, Township 17 South, Range 3 West of the 6th Principal Meridian in McPherson County, Kansas, more fully described as follows:

Commencing at the Northwest corner of said Northwest Quarter; thence on an assumed bearing S 89°55'57" E along the North line of said Northwest Quarter a distance of 420.00 feet to a point where the projected centerline of vacated Jackson Street intersects said North line of the Northwest Quarter; thence S 00°55'33" E along said projection of the centerline of vacated Jackson Street a distance of 80.00 feet to the point where said centerline intersects the South right of way line of Swensson Street, said point also being the Point of Beginning; thence S 89°55'57" E parallel to said North line of the Northwest Quarter and along said South right of way line a distance of 1445.33 feet to a point on the West line of a tract described in Book 663, Page 2540 to the Lindsborg Cemetery Company; thence S 00°32'22" E along said West line a distance of 440.00 feet; thence N 89°55'57" W for distance of 292.36 feet; thence N 00°55'33" W for a distance of 25.00 feet; thence N 89°55'57" W for a distance of 390.00 feet; thence S 61°01'40" W a distance of 67.97 feet; thence N 89°55'57" W a distance of 700.00 feet to the centerline of vacated Jackson Street and the West line of Stockholm Estates; thence N 00° 55'33" W along said centerline a distance of 448.00 feet to the Point of Beginning.

Said tract contains 14.50 acres, more or less, and includes all of Block 1, Block 2–Lots 1-6, Block 3-Lots 1-4 & Lots 21-24, Block 4-Lots 1-4 & Lots 21-24, Block 5-Lots 1-3 & Lots 18-20, Block 6-Lots 1-5 & Lots 18-21 and Block 7-Lots 1-4 and streets adjacent to said Lots and Blocks shown on the Nov. 25-2019 revised preliminary plat of Stockholm Estates.

The boundaries of the District do not contain any property not referenced in Resolution No. Resolution 01-20, which provided notice of public hearing on the creation of the District and adoption of the Plan.

Section 3. Approval of Development Plan. The Plan for the development or redevelopment of housing and public facilities in the District, as presented to the Governing Body this date, is hereby approved.

Section 4. Adverse Effect on Other Governmental Units. If, within 30 days following the conclusion of the public hearing on February 5, 2020, any of the following occurs, the Governing Body shall take action to repeal this Ordinance:

- a. The Board of Education of U.S.D. 400 determines by resolution that the District will have an adverse effect on such school district; or
- b. The Board of County Commissioners of McPherson County, Kansas, determines by resolution that the District will have an adverse effect on such county.

As of this date, the City has not received a copy of any such resolution and is not aware of the adoption of any such resolution by the governing body of McPherson County or U.S.D. 400.

Section 5. Reimbursement. The Act authorizes the City to reimburse the Developer for all or a portion of the costs of implementing the Plan through the use of property tax increments allocated to the City under provisions of the Act.

Section 6. Further Action. The Mayor, City Clerk and other officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate to accomplish the purposes of this Ordinance.

Section 7. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body of the City of Lindsborg, Kansas and publication of a summary of this Ordinance one time in the official City newspaper.

PASSED by the city commission and signed by the Mayor this 5th day of February, 2020.

CITY OF LINDSBORG , KANSAS

Becky Anderson, Mayor

[SEAL]

Attest:

Roxie Sjogren, City Clerk