

ORDINANCE NO. 1026

AN ORDINANCE ESTABLISHING A CITY LAND BANK PURSUANT TO K.S.A. 12-5901, et seq.

Be it ordained by the Governing Body of the City of Smith Center, Kansas:

Section 1. The City of Smith Center, Kansas (herein after "City"), by the power vested in it by K.S.A. 12-5901, et seq., hereby establishes a city land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within the City of Smith Center, Kansas. The land bank will be guided in its affairs by the City Council members as the board of trustees.

Section 2. The land bank board of trustees shall consist of 5-7 board members. The 1st chair of the City Council will serve as the advisor to the land bank board. The board shall have staggered terms varying from 1-3 year terms.

Section 3. The land bank staff shall consist of the Economic Development Director of the City of Smith Center, KS.

Section 4. CASH BASIS. The bank shall be subject to the provisions of the cash-basis law, K.S.A. et seq., and amendments thereto, as provided in K.S.A. 12-5903 (a).

Section 5. BUDGET. The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the City of Smith Center Governing Body.

Section 6. For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board's best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the banks activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Section 7. Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the county of Smith pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 12-5901, et seq. (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of the City of Smith Center, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.

Section 8. The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property.

Section 9(a). The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

Section 9(b). Proposals will be reviewed by the Smith Center Economic Development Director and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

Section 10. The Governing Body of the City of Smith Center, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank.

Section 11. The land bank is required to make an annual report to the Governing Body of the City of Smith Center, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 12. Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 13. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 14. STATUTORY AUTHORITY. The provisions of this ordinance shall at all times be consistent with K.S.A. 12-5901 et seq and amendments thereto.

Section 15. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Smith Center, Kansas.

Passed and approved by the Governing Body of the City of Smith Center, Kansas this 13th day of January 2020.

Approved and signed by the Mayor this 13th day of January 2020.

Bryce L. Wiehl, Mayor

ATTEST:

Jill Conaway, City Clerk