

Tuesday, August 2, 2016 - 3:00 p.m.  
Executive Conference Room, 125 E. Avenue B, Hutchinson, Kansas

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1. CALL MEETING TO ORDER

\_\_\_\_\_ Mark Eaton (Chair)      \_\_\_\_\_ Dan Garber      \_\_\_\_\_ James Gilliland  
\_\_\_\_\_ Sue Poltera (Vice-Chair)      \_\_\_\_\_ Luke McConaughy

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1. APPROVAL OF MINUTES – June 7, 2016

2. ANNOUNCEMENTS

- a. Introducing Aaron Barlow, Associate Planner

3. UPDATES

- a. Financial Update
- b. Comprehensive Plan Update
- c. Design Competition Update

4. PROPERTY REPORT

5. OLD BUSINESS

- a. Revised Donation Policy (attached)
- b. Revised Transfer Policy (attached)

6. NEW BUSINESS

7. ADJOURN

- a. The next Land Bank Board of Trustees meeting will be Tuesday, September 6, 2016; 3 PM

# Minutes

# Land Bank Board of Trustees

Tuesday, June 7, 2016 - 3:00 p.m.  
City Hall, 125 E Avenue B

City of Hutchinson, Kansas

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## 1) CALL TO ORDER, ROLL CALL

The following members were present: Sue Poltera, Dan Garber and Mark Eaton. Luke McConnaughy and James Gilliland were absent. Staff in attendance were Jana McCarron, Planning and Development Director; Amy Denker, Housing Program Coordinator; Frank Edwards, Director of Finance; and Stephanie Stewart, Planning Technician.

Poltera called the meeting to order. Eaton arrived at 3:17.

## 2) APPROVAL OF MINUTES

The minutes of May 3, 2016 were approved on a motion by Poltera, seconded by Garber, passed unanimously.

## 3) ANNOUNCEMENTS

McCarron said the City made an offer to an applicant for the associate planner position. We are hoping he accepts the position.

## 4) UPDATES

### 4a. Financial Update.

Poltera motioned to approve the financial report, seconded by Garber, passed unanimously.

### 4b. 16-HOU-11 Avenue C Design Competition-Housing Commission Approval.

Denker stated that letters have been sent to KU and KSU. The Housing Commission approved to allocation of \$2000 towards the design competition, and expressed interest in being involved. McCarron stated staff will do a fund transfer request.

## 5) PROPERTY REPORT

Denker informed the board that the properties accrued another mowing charge and that the contractor inspects the properties periodically to see if they need mowing, versus mowing them on a specific schedule. McCarron stated we closed on the 5<sup>th</sup> Avenue property. The next door neighbor purchased it for lot expansion. The purchase price was \$285 and the closing costs were \$15.

## 6) OLD BUSINESS

Denker said staff is still working on the design competition details and will have more information next meeting.

**7) NEW BUSINESS**

7a. Donation Policy.

McCarron explained that this is a policy for when people offer to donate property to the Land Bank. Denker discussed the policy. Consistency is the goal. Eaton suggested adding disclosure of all property amenities under Application Provisions and/or Selection Criteria. Discussion ensued. Staff will make minor modifications to the policy and return it to the Board for approval at the next meeting.

7b. Transfer Policy.

McCarron explained that this policy relates to requests from non-profit organizations to acquire donated properties on their behalf, primarily for the purpose of removing back taxes. Denker discussed the policy. Staff was requested to rework the Transfer of Deed section and add a timeframe. Eaton added a “meeting the goals of the Land Bank” under the selection criteria. Discussion ensued. Staff will make modifications to the policy, as requested, and return it to the Board for approval at the next meeting.

**8) OTHER**

McCarron updated the Board on City Council’s approval to keep the Rental Registration Inspection Program with modification. The program will consist of exterior inspections, and interior inspections with consent from the lawful occupant. The fees have been reduced, and programs to educate tenants and landlords will be provided.

Denker added she has had a couple of inquiries on two of the remaining Land Bank properties and will let the Board know if any move forward.

**9) ADJOURN**

The meeting was adjourned at 3:50 p.m. The next meeting, which is scheduled to be held Tuesday, July 5, 2016 at 3:00 p.m., will likely need to be cancelled due to vacations on the part of the Board. Staff will poll the Board to check availability later in July, if a July meeting is needed.

Respectfully Submitted,  
Stephanie Stewart, Planning Technician

Approved this \_\_\_\_\_ day of \_\_\_\_\_

Attest: \_\_\_\_\_

CITY OF HUTCHINSON  
2017-2037 COMP PLAN



YOU'RE INVITED!  
PUBLIC MEETING

Thursday  
July 28

6:00-8:00 PM  
Atrium Hotel &  
Conference Center  
1400 N Lorraine

Please join us for the first public meeting for the development of the  
Hutchinson Comprehensive Plan!

The meeting will start with a brief presentation followed by  
break-out discussion groups.

**Refreshments will be provided!**



**FOR QUESTIONS  
OR MORE INFO**

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620-694-2617

**WWW.HUTCHPLAN.COM**

### **Purpose**

This policy has been developed to serve as a guideline for Staff and the Land Bank Board of Trustees to use when considering donated property. The Land Bank considers all donation requests based on the property's disposition and will only accept donations when a goal of the Land Bank is being met.

### **Donation**

Consideration of donations will be based on an evaluation of the property in light of the Land Bank's goals. Staff will provide an analysis of the property's disposition and a recommendation. The Board will take all factors into consideration, and either accept or deny the request.

### **Application Provisions.**

1. All potential donors shall complete an Application for Donation on forms provided by the Land Bank Board of Trustees Secretary.
2. The application will have the following components:
  - Current Owner
  - General Description of Property(ies)
  - List of structures on the site(s)
  - Condition of structure(s)
  - List of known environmental issues
  - List of Liens, Mortgages, Assessments, or other claims on the property
  - List of any open property maintenance or code violations
  - List any delinquent taxes, fees or licenses associated with the property
3. Failure to adequately or accurately complete the application may be grounds for rejection of the proposed offer.

### **Selection Criteria.**

Proposals will be reviewed based upon the following criteria

1. Completeness of application.
2. Property disposition (Developable or meets other goals of the Land Bank)
3. Potential for future acquisitions or projects
4. Potential environmental and safety impacts

*The Land Bank reserves the right to accept or reject any prospective donation.*

### **Title Search.**

Approval of a prospective donation is contingent upon obtaining a clear title search. The title search will be conducted at the expense of the Land Bank, unless the property(ies) are being acquired by the Land Bank on behalf of a local, non-profit. In this case, the non-profit will be responsible for the cost of the title search.

**Approval.**

Upon approval of donated property from the Land Bank Board, Staff will begin the process of acquiring the title to the property. Approval by the Board authorizes the Chair or Vice-Chair to sign a contract for transfer of deed. Once the property title has changed, the outstanding taxes, if any, will be abated by the Land Bank's authority under state statute.

DRAFT

### **Purpose**

This policy has been developed to provide a guide for Staff and the Land Bank Board of Trustees to use when transferring property to other non-profit organizations. The Land Bank considers all transfer requests for properties when a goal of the Land Bank is met.

### **Transfer**

The Land Bank will support local, non-profit organizations by acquiring property on their behalf and transferring the title to the non-profit when their objective aligns with the stated goals of the Land Bank. All requests for transfer shall be made a minimum of 60 days prior to the desired transfer date, dependent upon the Land Bank's schedule, and shall be submitted to the Planning & Development Department.

### **Application Provisions.**

1. All applicants shall complete an Application of Transfer on forms provided by the Land Bank Board of Trustees Secretary.
2. Each application shall be accompanied by a proposal for use of the property. If the intended use requires construction of any type, the proposal must also include:
  - The intended project start date;
  - The intended project completion date;
  - Evidence of financing;
  - Proposed floor plan;
  - Proposed site plan; and
  - Elevation drawings

A rehabilitation plan and/or other documentation may be requested by the Land Bank Board of Trustees.

3. All applicants shall list any City of Hutchinson property maintenance code violations and zoning code violations for which they have been cited within the past **three** years.
4. All applicants shall list any delinquent taxes, fees or licenses for properties they own which are located in Reno County.
5. Failure to adequately or accurately complete the application may be grounds for rejection of the transfer request.

### **Selection Criteria.**

Transfer requests will be reviewed based upon the following criteria

1. Completeness of application.
2. Intended use and supplemental materials. All proposed projects must comply with City Codes and Regulations.
3. Evidence of sufficient financial support for the proposed project.

4. The Applicant must not have any current code violations with the City of Hutchinson and/or delinquent taxes, fees or licenses on properties located within Reno County.
5. The proposed transfer must meet the goals of the Land Bank.

The Land Bank reserves the right to reject or accept any transfer request.

**Transfer of Deed.**

Once the Land Bank Board of Trustees approves a transfer request, a purchase agreement will be signed and the following transfer procedures will apply, dependent upon the intended use:

1. Uses involving development (new structure, community garden, etc.).
  - a. The Land Bank Board of Trustees will enter into a Purchase Agreement with the transfer entity spelling out the timing of development, milestones of the project and maintenance responsibilities for the property(ies) until such time as the title has been formally transferred.
  - b. The transfer deed will not be signed until a site plan or building permit has been submitted to the City. The transfer will proceed upon approval from a City Official if the project requires City authorization.
  - c. All closing costs shall be paid by the purchaser.
2. The Land Bank will advertise the property as available for purchase a minimum of 30 days prior to the desired transfer date per state statute.
3. The title of property will be transferred when either the 30-day protest period has concluded or the applicant is ready to begin construction of their project, whichever is later.