



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
August 02, 2022 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage

II. ROLL CALL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Justin Smith ____ John Welch ____

III. OPENING PRAYER: John Barkett

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. DETERMINE AGENDA ADDITIONS

VI. CONSENT AGENDA

A. **Approval of Minutes of the July 19, 2022 City Council meeting.**

Action: Motion to (approve / table / deny) the Consent Agenda as (listed / amended) and authorize the Mayor to sign.

Motion ____ Second ____ Vote ____

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. **Consideration of Appropriations Ordinance 22-14 in the amount of \$788,723.00.**

Action: Motion to (approve / deny / table) Appropriations Ordinance 22-14.

Motion ____ Second ____ Vote ____

VIII. CITY REQUESTED APPEARANCES

A. Dakota Zimmerman, Garver – Woodlawn Update

- IX. PUBLIC HEARING:** The purpose of the hearing is to consider any and all written or oral objections to the respective assessments for Sewer, Water Drainage, and Paving in The Villas at Prestwick Phase 1, Rock Spring Phase 6 Sewer and Water, Rock Spring 3rd Phase 1 Water, Sewer Drainage and Paving, Webb Road Gravity Main Sewer; and Webb Road Lift Station Installation.

(Please move to the podium and state your name & address so that you can be clearly heard by the viewing public as well as the Governing Body. Comments are limited to three (3) minutes unless additional time is granted by the Mayor).

Action: Motion to close the public hearing.

Motion _____ Second _____ Vote _____

- X. CITIZEN CONCERNS:** *If you wish to speak, please fill out a "Request to Speak" card at the podium and give it to the City Clerk before the meeting begins. When you are called on by the Mayor, please go to the podium, speak into the microphone, and state your name and address before giving your comments. Please limit your comments to 3 minutes in the interest of time. If more time is needed, you may request an extension from the Mayor.*

XI. REPORTS

- A. Council Member Reports**
- B. Mayor's Report**
- C. City Attorney Report**
- D. City Manager Report**

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration Of A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Taxable Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Equipping And Constructing Of A Storage Facility To Be Located In The City; And Authorizing Execution Of Related Documents**

Action: Motion To (Approve / Deny / Table) A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Taxable Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Equipping And Constructing Of A Storage Facility To Be Located In The City; And Authorizing Execution Of Related Documents and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

B. Consideration of An Ordinance Levying Special Assessments, Including Benefit Fees, On Certain Property To Pay The Costs Of Internal Improvements In The City Of Bel Aire, Kansas, As Heretofore Authorized By Resolution Nos. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 And R-20-11; And Providing For The Collection Of Such Special Assessments And Benefit Fees.

Action: Motion To (Approve / Deny / Table) An Ordinance Levying Special Assessments, Including Benefit Fees, On Certain Property To Pay The Costs Of Internal Improvements In The City Of Bel Aire, Kansas, As Heretofore Authorized By Resolution Nos. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 And R-20-11; And Providing For The Collection Of Such Special Assessments And Benefit Fees.

Motion _____ Second _____ Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____

C. Consideration of A Resolution Authorizing The Offering For Sale Of General Obligation Bonds, Series 2022A And General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas.

Action: Motion To (Approve / Deny / Table) A Resolution Authorizing The Offering For Sale Of General Obligation Bonds, Series 2022A And General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas.

Motion _____ Second _____ Vote _____

D. Consideration of revised Bylaws for the Bel Aire Utility Advisory Committee.

Action: Motion to (approve / deny / table) the revised Bylaws for the Bel Aire Utility Advisory Committee, and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

E. Consideration of the appointment of Dan Broyles to the Bel Aire Utility Advisory Committee. The term is for two years and will end in August of 2024.

Action: Motion to (confirm / deny / table) the mayor's appointment of Dan Broyles to the UAC for a two-year term.

Motion _____ Second _____ Vote _____

F. Consideration of the appointment of Ashley Markley to the Bel Aire Utility Advisory Committee. The term is for two years and will end in August of 2024.

Action: Motion to (confirm / deny / table) the mayor's appointment of Ashley Markley to the UAC for a two-year term.

Motion _____ Second _____ Vote _____

G. Consideration of the appointment of Art Tenbrink to the Bel Aire Utility Advisory Committee. The term is for three years and will end in August of 2025.

Action: Motion to (confirm / deny / table) the mayor's appointment of Art Tenbrink to the UAC for a three-year term.

Motion _____ Second _____ Vote _____

H. Consideration of the appointment of Bill Moss to the Bel Aire Utility Advisory Committee. The term is for one year and will end in August of 2023.

Action: Motion to (confirm / deny / table) the mayor's appointment of Bill Moss to the UAC for a one-year term.

Motion _____ Second _____ Vote _____

I. Consideration An Ordinance Changing The Zoning Classification From AG Agricultural Zoning (AG) To Manufacturing (M-1) Zoning On Approximately 73 Acres Located Directly East Of Webb Rd, South Of Sunflower Commerce Park, Within Bel Aire, Kansas (ZON-22-04).

Action: Motion To (Approve / Deny / Table) An Ordinance Changing The Zoning Classification From AG Agricultural Zoning (AG) To Manufacturing (M-1) Zoning On Approximately 73 Acres Located Directly East Of Webb Rd, South Of Sunflower Commerce Park, Within Bel Aire, Kansas and authorize the mayor to sign.

Motion _____ Second _____ Vote:

Jim Benage _____ Greg Davied _____ Tyler Dehn _____

Emily Hamburg _____ Justin Smith _____ John Welch _____

J. Consideration of Amending a Planned Unit Development (PUD) On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick Count, Kansas (PUD-22-02 Winkley Addition Commercial).

Action: Motion To (Amend / Deny / Table) the PUD to reduce building setbacks, remove certain screening requirements, and add a fuel tank storage area On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick County, Kansas and authorize all required signatures.

Motion _____ Second _____ Vote:

Jim Benage_____ Greg Davied_____ Emily Hamburg_____

Justin Smith_____ Tyler Dehn_____ John Welch_____

K. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Elk Creek 3rd (ZON-22-02).

Action: Motion to (accept / deny / table) the dedications within the Final Plat for Elk Creek 3rd and authorize all required signatures.

Motion _____ Second _____ Vote:

Jim Benage _____ Greg Davied _____ Emily Hamburg _____

Justin Smith _____ Tyler Dehn _____ John Welch _____

L. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Chapel Landing 6th (ZON-21-07).

Action: Motion to (accept / deny / table) the dedications within the Final Plat for Chapel Landing 6th and authorize all required signatures.

Motion _____ Second _____ Vote:

Jim Benage_____ Greg Davied_____ Emily Hamburg_____

Justin Smith_____ Tyler Dehn_____ John Welch_____

XIII. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussion the subject of: (_____), pursuant to the KSA 75-4319 exception for: (______). Invite the City Manager and the City Attorney. The meeting will be for a period of (____) minutes, and the open meeting will resume in City Council Chambers at (____) PM.

Motion _____ Second _____ Vote _____

XIV. DISCUSSION AND FUTURE ISSUES

A. Workshop – August 9th at 6:30 pm?

B. Council Retreat – August 13th at 9:00 am.

XV. ADJOURNMENT

Action: Motion to adjourn.

Motion_____ Second_____ Vote_____

Additional Attachments:

A. Public Works Report - July 2022

B. Manager's Report - August 2, 2022

Notice

It is possible that sometime between 6:30 and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Cox Cable Channel 7 rebroadcasts of this meeting are scheduled daily or can be streamed on YouTube and at www.belaireks.gov. Please make sure all cell phones and other electronics are turned off and put away.



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
July 19, 2022 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present were Greg Davied, Justin Smith, John Welch. Tyler Dehn and Emily Hamburg were absent.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, Assistant City Manager/ Director of Finance Ted Henry, City Engineer Anne Stephens, City Clerk Melissa Krehbiel, and Bond Counsel Kevin Cowan of Gilmore and Bell, P.A.

III. OPENING PRAYER: Mark Posson provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS: There were no additions.

VI. CONSENT AGENDA

A. Minutes of the July 5, 2022 City Council meeting.

MOTION: Councilmember Smith moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Welch seconded the motion. ***Motion carried 3-0.***

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance 22-13 in the amount of \$298,485.47

MOTION: Councilmember Davied moved to approve Appropriations Ordinance 22-13. Councilmember Smith seconded the motion. ***Motion carried 3-0.***

VIII. CITY REQUESTED APPEARANCES: None

IX. CITIZEN CONCERNS:

Gary Breault, 4046 N. Harding, spoke in favor of a paving petition for his neighborhood. He stated he hopes that the petition passes. Even if the petition does not pass, he hopes that Council will consider improving the ditches in the area.

Dennis McCallum, 4650 Hillcrest, spoke about concerns regarding road conditions and dust in his neighborhood. He also spoke in opposition to a proposed development in Arthur Heights Addition.

Melvin Harms, 4172 N Battin, spoke regarding the road conditions in his neighborhood and the paving petition for the neighborhood. He is concerned that if the petition fails, nothing will change. He suggested adding a better rock surface to the street to control the dust.

Chad Crittenden, 4130 Harding Street, spoke regarding the road conditions in his neighborhood. In order to control the dust, he would like for the Council to look into reducing the speed limit, enforcing speed limits, and using a different material for the gravel road.

X. REPORTS

A. Council Member Reports

No reports were given.

B. Mayor's Report

Mayor Benage reported on the Kansas Infrastructure Summit and a virtual seminar he attended regarding project bundling hosted by the Federal Highway Administration. He also reported on the most recent meetings of SCAC and WAMPO. He reminded citizens of upcoming deadlines for the August 2nd Primary Election. Any registered voter may vote in the election, regardless of party affiliation.

C. City Attorney Report

City Attorney Kelly reviewed regulations and enforcement activities related to street tree trimming and water system backflow prevention.

D. City Manager Report

City Manager Lasher briefly reported on the paving improvement petitions that were recently mailed to some residents. A public meeting was held today, prior to the Council meeting to allow residents to ask questions about the proposed paving projects. The meeting was well attended. If enough petitions in support of the projects are received, the paving projects may move forward.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of the Following Actions related to GO Bond Issuance and Special Assessments:

- 1. Approval of the Assessment Roll Certification, Notice of Public Hearing and Form of Notice of Hearing and Statement of Cost Proposed to be Assessed;**
- 2. Establish August 2, 2022 at 7:00 p.m. to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;**
- 3. Authorize the publication by the City Clerk of Exhibit C (Notice of Public Hearing) in the official City newspaper, not less than 10 days prior to such public meeting date;**
- 4. Mail Exhibit D (Notice of Public Hearing and Statement of Cost Proposed to be Assessed) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Exhibit C (Notice of Public Hearing); and**
- 5. File each of said documents of record in the office of the City Clerk and make the same available for public inspection.**

MOTION: Councilmember Welch moved to approve each of the following actions:

1. Approval of the Assessment Roll Certification, Notice of Public Hearing and Form of Notice of Hearing and Statement of Cost Proposed to be Assessed;
2. Establish August 2, 2022 at 7:00 p.m. to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Authorize the publication by the City Clerk of Exhibit C (Notice of Public Hearing) in the official City newspaper, not less than 10 days prior to such public meeting date;
4. Mail Exhibit D (Notice of Public Hearing and Statement of Cost Proposed to be Assessed) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Exhibit C (Notice of Public Hearing); and
5. File each of said documents of record in the office of the City Clerk and make the same available for public inspection.

Councilmember Smith seconded the motion. *Motion carried 3-0.*

B. Consideration of a Letter of Intent to Issue (LOI) an Industrial Revenue Bond (IRB) for Block 49, LLC for Storage Units Located in Bel Aire.

MOTION: Councilmember Smith moved to approve the LOI for an IRB with Block 49, LLC as presented and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 3-0.*

- C. Consideration of an Agreement for Professional Services with Baughman for Sanitary Sewer Improvements to serve Lot 1, Block A, Homestead Senior Landing and Lots 1 through 16, Block E and Lots 1 through 24, Block F, Chapel Landing in the amount of \$26,500.00.**

MOTION: Councilmember Davied moved to approve an Agreement for Professional Services with Baughman for Sanitary Sewer Improvements to serve Lot 1, Block A, Homestead Senior Landing and Lots 1 through 16, Block E and Lots 1 through 24, Block F, Chapel Landing in the amount of \$26,500.00 and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 3-0.*

- D. Consideration of An Ordinance establishing no parking along Prairie Court in the Prairie Preserve addition.**

MOTION: Councilmember Smith moved to approve An Ordinance Regulating Street Parking By Prohibiting The Parking Of Vehicles On Prairie Court In Bel Aire, Kansas And Providing Penalties For Violation Thereof and authorize the Mayor to sign. Councilmember Davied seconded the motion.

Rollcall Vote:

Greg Davied- Aye Justin Smith – Aye John Welch -Aye

Motion carried 3-0.

- E. Consideration of An Ordinance Changing The Zoning Classification From AG Agricultural Zoning To R-5 Residential Use On Certain Property, Bel Aire Lakes Addition Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas.**

MOTION: Councilmember Davied moved to approve An Ordinance Changing The Zoning Classification From AG Agricultural Zoning To R-5 Residential Use On Certain Property, Bel Aire Lakes Addition Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas, and authorize the Mayor to sign. Councilmember Smith seconded the motion.

Rollcall Vote:

Jim Benage- Aye Greg Davied- Aye Justin Smith – Aye John Welch -Aye

Motion carried 4-0.

- F. Consideration of An Order Vacating A Portion Of A Platted Building Setback Line On Certain Property Located In The Lawn Terrace Addition Within The Corporate City Limits Of The City Of Bel Aire, Kansas.**

MOTION: Councilmember Smith moved to approve An Order Vacating A Portion Of A Platted Building Setback Line On Certain Property Located In The Lawn Terrace Addition Within The Corporate City Limits Of The City Of Bel Aire, Kansas. Councilmember Welch seconded the motion.

Rollcall Vote:

Jim Benage- Aye Greg Davied- Aye Justin Smith – Aye John Welch -Aye

Motion carried 4-0.

- G. Consideration of a bid for installation of 4,602 linear feet of 8” Cured-In-Place-Pipe (CIPP) and 2,020 linear feet of 10” CIPP in Lawn Terrace. One of the three contractors that were contacted responded with a bid that met specifications:**

<u>Contractor</u>	<u>Total Bid</u>	<u>Protruding Tap Removal</u>
Insituform	\$228,196.80	\$220.00
UMC	No Bid	
Mayer Specialty Services	Could not meet specs	

The Council discussed combining this project with other projects, in order to possibly receive a better price per linear foot.

MOTION: Councilmember Smith moved to deny the bid from Insituform. Councilmember Davied seconded the motion. *Motion carried 3-0.*

- H. Consideration of the Revised Tax Increment Financing (TIF) Policy for the City of Bel Aire.**

MOTION: Councilmember Welch moved to approve the Revised Tax Increment Financing Policy for the City of Bel Aire and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 3-0.*

- I. Consideration of appointing three voting delegates to the League of Kansas Municipalities 2022 Annual Business Meeting and Convention of Voting Delegates on October 10, 2022 at noon in Overland Park.**

MOTION: Councilmember Smith moved to appoint Ty Lasher, Tyler Dehn and Jim Benage as Bel Aire Voting Delegates to the 2022 League of Kansas Municipalities Annual Business Meeting. Councilmember Davied seconded the motion. *Motion carried 3-0.*

- J. Consideration of appointing three alternate voting delegates to the League of Kansas Municipalities 2022 Annual Business Meeting and Convention of Voting Delegates on October 10, 2022 at noon in Overland Park.**

MOTION: Councilmember Smith moved appoint Jaqueline Kelly as Bel Aire Alternate Voting Delegate to the 2022 League of Kansas Municipalities Annual Business Meeting. Councilmember Davied seconded the motion. *Motion carried 3-0.*

XII. EXECUTIVE SESSION

MOTION: Councilmember Smith moved to take a 5-minute recess. Councilmember Welch seconded the motion. *Motion carried 3-0.*

The meeting was in recess from 8:07 p.m. to 8:12 p.m. At 8:12 p.m. Mayor Benage called the meeting back to order.

- A. MOTION:** Councilmember Welch moved to go into executive session for the sole purpose of discussing the subject of: attorney-client consultation regarding litigation, pursuant to the KSA 75-4319 exception for: attorney-client privilege. Invite the City Manager and the City Attorney. The meeting will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 8:35 p.m. Councilmember Smith seconded the motion. *Motion carried 3-0.*

The Council then conducted an executive session. At 8:34 p.m., the Council returned to the Council Chambers. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of: matters related to Council employees, pursuant to the KSA 75-4319 exception for: non-elected personnel. The meeting will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 8:57 p.m. Councilmember Davied seconded the motion. *Motion carried 3-0.*

The Council then conducted an executive session. At 8:57 p.m., the Council returned to the Council Chambers. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

MOTION: Councilmember Smith moved to extend the executive session and invite in the City Manager and City Attorney. The meeting will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 9:17 p.m. Councilmember Davied seconded the motion. *Motion carried 3-0.*

The Council then returned to executive session. At 9:20 p.m., the Council returned to the Council Chambers. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

B. Consideration of the revised Employment Agreement with the City Manager.

MOTION: Councilmember Smith moved to table the Revised Employment Agreement with City Manager Lasher. Councilmember Welch seconded the motion. *Motion carried 3-0.*

XIII. DISCUSSION AND FUTURE ISSUES – No future issues were discussed.

XIV. ADJOURNMENT

MOTION: Councilmember Smith moved to adjourn. Councilmember Davied seconded the motion. *Motion carried 3-0.*

The meeting adjourned at 9:21 p.m.

CLAIMS REPORT

Vendor Checks: 7/13/2022- 7/26/2022

Payroll Checks: 7/13/2022- 7/26/2022

AP ORD 22-14

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	DATE
GENERAL					
AFLAC	EMPLOYEE MONTHLY PREMIUM	611.88	1280564	7/20/22	
ALLEN, GIBBS & HOULIK, LC	2022 AUDIT PROGRESS	5,000.00	68099	7/25/22	
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION	19.50	68100	7/25/22	
AMAZON CAPITAL SERVICES, INC	OFFICE EQUIPMENT/SUPPLIES	2,972.36	1280566	7/22/22	
STRUNK PUBLISHING, LLC	BREEZE AD;LEGAL PUBLICATIONS	1,364.72	68102	7/25/22	
AT&T CORP	POOL TELEPHONE	94.90	68103	7/25/22	
BARDAVON HEALTH INNOVATIONS LL	PRE-EMPLOYMENT SCREENING	110.00	68104	7/25/22	
BEALL & MITCHELL, LLC	JULY COURT	1,237.98	68105	7/25/22	
BLUE CROSS & BLUE SHIELD OF KS	08/22 ID:0421210	36,674.55	1280571	7/14/22	
BRADY INDUSTRIES OF KS	CH:JANITORIAL SUPPLIES	143.67	68106	7/25/22	
BRANDON KASEL	2021 TAX YR INCENTIVE REBATE	475.10	68087	7/13/22	
CHARLES MYERS	2021 TAX YR INCENTIVE REBATE	540.78	68088	7/13/22	
CHRISTINE HAMMAN	2021 TAX YR INCENTIVE REBATE	483.81	68089	7/13/22	
COUNTRYSIDE LAWN & TREE CARE	IRRIGATION REPAIRS	418.75	68107	7/25/22	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	762.00	1280532	7/16/22	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	80.17	1280533	7/16/22	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	194.64	1280534	7/16/22	
WICHITA WATER CONDITIONING, INC	WATER SERVICE	55.40	68108	7/25/22	
DANA MCEL RATH	2021 TAX YR INCENTIVE REBATE	611.27	68093	7/13/22	
DELTA DENTAL PLAN of KANSAS	07/22 MONTHLY PREMIUM	2,004.13	68109	7/25/22	
DIGITAL OFFICE SYSTEMS	KONICA MINOLTA C224:	74.55	68110	7/25/22	
DOCUPLEX, INC.	PRINTING COUPONS-EVERGRN RECYC	101.22	68111	7/25/22	
EMPOWER RETIREMENT 457	EMP VLNTRY 457	250.00	1280563	7/20/22	
FICA/FEDERAL W/H	FED/FICA TAX	19,237.76	1280559	7/20/22	
BRIDGESTONE AMERICAS, INC	TIRES x4	744.85	68113	7/25/22	
GALAXIE BUSINESS EQUIPMENT	LASERFICHE SOFTWR 2022/SUPPORT	3,407.50	68115	7/25/22	
GLENDA DUNCAN	2021 TAX YR INCENTIVE REBATE	347.79	68094	7/13/22	
HAWKS INTER-STATE PESTMASTERS	07/22:PEST CONTROL:**	79.76	68117	7/25/22	
IMAGINE IT INC	COMPUTER PY2-FRNT DSK/CNCL MTG	1,424.54	1280572	7/22/22	
RICHARD VARGAS	COURT INTERPRETER MAY-JUL	145.00	68119	7/25/22	
PJI PHOTOGRAPHY	COUNCIL PHOTO PRINTS	630.00	68120	7/25/22	
IWORQ SYSTEMS, INC	BACKFLOW SOFTWARE 07/22-04/23	3,125.00	68121	7/25/22	
KALEM HOFFMAN	2021 TAX YR INCENTIVE REBATE	1,076.43	68095	7/13/22	
KANZA CO-OPERATIVE ASSOCIATION	BULK FUEL	820.17	68122	7/25/22	
JACQUELINE KELLY	ATTORNEY CONF PER DIEM/HOTEL	373.81	68123	7/25/22	
KS EMPLOYMENT SECURITY FUND	2ND QTR 2022 UNEMPLOYMENT	759.08	1280578	7/13/22	
KANSAS DEPT OF REVENUE	STATE TAX	3,165.30	1280562	7/20/22	
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP	15.04	1280576	7/25/22	
KANSAS GAS SERVICE	GAS SVC:REC	53.39	1280573	7/25/22	
KANSAS GAS SERVICE	GAS SVC:CH	92.80	1280574	7/25/22	
KANSAS GAS SERVICE	GAS SVC:POOL	39.75	1280577	7/25/22	
K P E R S	KPERS TIER 3	12,038.10	1280561	7/20/22	
KANSAS STATE TREASURER	06/22:COURT FEES	2,425.90	68127	7/25/22	
LAUTZ LAW LLC	CRT APPTD DEFENSE ATTY	104.00	68128	7/25/22	
LINSTAR INC	ID CARDS:REC	25.60	68129	7/25/22	
LYNN DUVALL	REFUND:POOL SEASON PASS	172.00	68130	7/25/22	
LYNN PARKER	2021 TAX YR INCENTIVE REBATE	676.05	68090	7/13/22	
MABCD	06/22 INSPECTIONS	250.00	68131	7/25/22	
MARIAM NJOKU	2021 TAX YR INCENTIVE REBATE	635.92	68091	7/13/22	
CRAIG A MCCOSKEY	CONTRACT MOWING	400.00	68132	7/25/22	
NATIONAL SIGN COMPANY, INC.	PLAQUE SIGNS-DEHN, KUDER	73.92	68135	7/25/22	
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	246.81	1280580	7/22/22	

CLAIMS REPORT

Vendor Checks: 7/13/2022- 7/26/2022

Payroll Checks: 7/13/2022- 7/26/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	921.71	1,168.52	1280581	7/15/22
PITNEY BOWES GLOBAL FINANCIAL	MONTHLY POSTAGE		500.00	1280582	7/20/22
QUILL	TONER		1,494.73	1280584	7/21/22
SEDGWICK CO DEPT OF FINANCE	06/22 PRISONER HOUSING FEES		218.40	68137	7/25/22
SHELDON STEVENS	REFUND:SWIM LESSONS		60.00	68138	7/25/22
RASHELL D LASHBROOK	08/22 JANITORIAL SVC		2,618.19	68139	7/25/22
SPECTRUM PROMOTIONAL PRODUCTS	REC STAFF SHIRTS		239.80	68140	7/25/22
UNITED INDUSTRIES INC	POOL:CHEMICALS		1,186.00	68142	7/25/22
USMAN JAVAID	2021 TAX YR INCENTIVE REBATE		613.22	68092	7/13/22
ICMA RETIREMENT 304804	CITY MGR 457		998.82	1280560	7/20/22
VISION ALLIANCE MARKETING,LLC	07/22 COURT SERVICES OFFICER		400.00	68145	7/25/22
WAV SERVICES INC	AUG-JAN COUNCIL VIDEO RETAINER		3,840.00	68146	7/25/22
WEX BANK	FUEL		3,824.88	1280585	7/19/22

	01 GENERAL TOTAL		123,783.40		
WATER UTILITY					
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		23.40	68100	7/25/22
AIRGAS USA,LLC	CYLINDER LEASE RENEWAL		47.48	68101	7/25/22
AMAZON CAPITAL SERVICES, INC	PRINTER CARTS		139.18	1280566	7/22/22
BANK OF NEW YORK MELLON TRUST	07/22 WATER DEBT SVC	48,152.53		1280567	7/15/22
BANK OF NEW YORK MELLON TRUST	541071:07/22 O&M WATER	39,351.50	87,504.03	1280569	7/15/22
BLUE CROSS & BLUE SHIELD OF KS	08/22 ID:0421210		4,545.75	1280571	7/14/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.48	1280531	7/15/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		51.95	1280532	7/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.20	1280533	7/16/22
DELTA DENTAL PLAN of KANSAS	07/22 MONTHLY PREMIUM		279.54	68109	7/25/22
FICA/FEDERAL W/H	FED/FICA TAX		2,920.65	1280559	7/20/22
KANZA CO-OPERATIVE ASSOCIATION	BULK FUEL		642.80	68122	7/25/22
KDHE	2ND QTR 2022 ANALYTICAL SVC		216.00	68124	7/25/22
KS DEPT HEALTH / ENVIRONMENT	2790:WATER LOAN DEBT SVC PYT		25,857.25	68125	7/25/22
KS EMPLOYMENT SECURITY FUND	2ND QTR 2022 UNEMPLOYMENT		59.41	1280578	7/13/22
KANSAS DEPT OF REVENUE	STATE TAX		517.12	1280562	7/20/22
KANSAS DEPT OF REVENUE	06/22 SALES TAX		1,120.20	1280579	7/19/22
KANSAS DEPT OF REVENUE	WATER FEES		2,956.70	68126	7/25/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		18.05	1280576	7/25/22
KANSAS GAS SERVICE	GAS SVC:PUMPHOUSE		42.85	1280575	7/25/22
KANSAS GAS SERVICE	GAS SVC:CH		6.33	1280574	7/25/22
K P E R S	KPERS TIER 3		1,919.48	1280561	7/20/22
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT		787.50	68134	7/25/22
POSTMASTER	07/22 POSTAGE:UTILITY BILLS		441.68	68096	7/15/22
PUBLIC WORKS & UTILITIES	19,497,750 GAL:06/06-07/06/22		87,528.34	1280583	7/21/22
RASHELL D LASHBROOK	08/22 JANITORIAL SVC:PW		103.22	68139	7/25/22
UTILITY MAINTENANCE CONTRACTOR	SVC LINES-NEW HOMES UTILITY		32,930.00	68143	7/25/22
SERVICE CO, INC	S WATER TWR MAINT CONTRACT		5,045.50	68144	7/25/22
WEX BANK	FUEL		146.98	1280585	7/19/22

	02 WATER UTILITY TOTAL		256,025.07		
SEWER UTILITY					
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		23.40	68100	7/25/22
AIRGAS USA,LLC	CYLINDER LEASE RENEWAL		47.47	68101	7/25/22
BANK OF NEW YORK MELLON TRUST	07/22 WASTEWATER DEBT SVC	60,746.55		1280568	7/15/22

CLAIMS REPORT

Vendor Checks: 7/13/2022- 7/26/2022

Payroll Checks: 7/13/2022- 7/26/2022


VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
BANK OF NEW YORK MELLON TRUST	541071:07/22 O&M WASTEWATER	30,410.66	91,157.21	1280570	7/15/22
BLUE CROSS & BLUE SHIELD OF KS	08/22 ID:0421210		4,734.30	1280571	7/14/22
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.47	1280531	7/15/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		51.95	1280532	7/16/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.20	1280533	7/16/22
DELTA DENTAL PLAN of KANSAS	07/22 MONTHLY PREMIUM		172.20	68109	7/25/22
EMPOWER RETIREMENT 457	EMP VLNTY 457		400.00	1280563	7/20/22
FICA/FEDERAL W/H	FED/FICA TAX		2,158.37	1280559	7/20/22
GALAXIE BUSINESS EQUIPMENT	LF SUPPORT		60.00	68115	7/25/22
AEGION CORPORATION	PEARSON ADDITION SEWER LINES		13,089.89	68118	7/25/22
KANZA CO-OPERATIVE ASSOCIATION	BULK FUEL		403.94	68122	7/25/22
KS EMPLOYMENT SECURITY FUND	2ND QTR 2022 UNEMPLOYMENT		59.41	1280578	7/13/22
KANSAS DEPT OF REVENUE	STATE TAX		349.72	1280562	7/20/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		18.05	1280576	7/25/22
KANSAS GAS SERVICE	GAS SVC:CH		6.31	1280574	7/25/22
K P E R S	KPERS TIER 3		1,375.29	1280561	7/20/22
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT		787.50	68134	7/25/22
POSTMASTER	07/22 POSTAGE:UTILITY BILLS		441.68	68096	7/15/22
QUILL	UB TONER		186.03	1280584	7/21/22
RASHELL D LASHBROOK	08/22 JANITORIAL SVC:PW		103.19	68139	7/25/22
UTILITY MAINTENANCE CONTRACTOR	SVC LINES-NEW HOMES		32,930.00	68143	7/25/22
03 SEWER UTILITY TOTAL			148,729.58		
SPECIAL STREET & HIWAY					
AFLAC	EMPLOYEE MONTHLY PREMIUM		262.71	1280564	7/20/22
AIR CAPITOL EXTERMINATING	RODENT/INSECT EXTERMINATION		11.70	68100	7/25/22
AIRGAS USA,LLC	CYLINDER LEASE RENEWAL		47.47	68101	7/25/22
BLUE CROSS & BLUE SHIELD OF KS	08/22 ID:0421210		2,083.06	1280571	7/14/22
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		48.10	1280533	7/16/22
DELTA DENTAL PLAN of KANSAS	07/22 MONTHLY PREMIUM		63.54	68109	7/25/22
EVERGY KANSAS CENTRAL INC	ELEC SVC:STREET LIGHTING		7,764.99	1280536	7/15/22
FASTENAL COMPANY	HARDWARE		82.33	68112	7/25/22
FICA/FEDERAL W/H	FED/FICA TAX		356.19	1280559	7/20/22
KANZA CO-OPERATIVE ASSOCIATION	BULK FUEL		1,408.60	68122	7/25/22
KS EMPLOYMENT SECURITY FUND	2ND QTR 2022 UNEMPLOYMENT		39.59	1280578	7/13/22
KANSAS DEPT OF REVENUE	STATE TAX		43.94	1280562	7/20/22
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		9.03	1280576	7/25/22
K P E R S	KPERS		292.56	1280561	7/20/22
PEARSON MATERIALS	2.19TN COLD PATCH		310.98	68136	7/25/22
TRAFFIC & PARKING CONTROL CO	53RD ROCK SOLAR SIGNAL		4,400.00	68141	7/25/22
WEX BANK	FUEL		146.98	1280585	7/19/22
04 SPECIAL STREET & HIWAY TOTAL			17,371.77		
CAPITAL IMPRV RESERVE					
GARVER	53RD OLIVER/WOODLAWN DESIGN		567.00	68116	7/25/22
05 CAPITAL IMPRV RESERVE TOTAL			567.00		
STORMWATER UTILITY					
FREMAR CORPORATION	17.62 TN RIP RAP		674.76	68114	7/25/22

CLAIMS REPORT

Vendor Checks: 7/13/2022- 7/26/2022

Payroll Checks: 7/13/2022- 7/26/2022

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK#	DATE
	14 STORMWATER UTILITY TOTAL		674.76		
CAPITAL PROJECTS #2 FUND					
STRUNK PUBLISHING, LLC	BREEZE AD;LEGAL PUBLICATIONS		250.56	68102	7/25/22
GARVER	ROCK SPR 5TH akaCEDAR PASS PH1		21,533.38	68116	7/25/22
MCCULLOUGH EXCAVATION, INC.	ROCK SPR 4TH:SWD/WDS/SS		141,188.49	68133	7/25/22
	33 CAPITAL PROJECTS #2 FUND TOTAL		162,972.43		
	Accounts Payable Total		710,124.01		
Payroll Checks					
	01 GENERAL		63,226.57		
	02 WATER UTILITY		8,422.98		
	03 SEWER UTILITY		5,703.47		
	04 SPECIAL STREET & HIWAY		1,245.97		
	Total Paid On: 7/20/22		78,598.99		
	Total Payroll Paid		78,598.99		
	Report Total		788,723.00		


 JUL 27 2022

(Published in *The Ark Valley News*, August 4, 2022)

**NOTICE OF PUBLIC HEARING
AND OF
ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS**

Public notice is hereby given that the Governing Body of the City of Bel Aire, Kansas (the “Issuer”), will conduct a public hearing on August 16, 2022 at 7:00 p.m., or as soon thereafter as may be heard at City Hall, 7651 E. Central Park Avenue, Bel Aire, Kansas 67226 in regard to the issuance by the Issuer of its Taxable Industrial Revenue Bonds (Block 49, LLC), in a principal amount not to exceed \$7,000,000 (the “Bonds”) and in regard to an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the Issuer under authority of K.S.A. 12-1740 *et seq.*, as amended, to pay the costs of acquiring land, and acquiring, equipping and constructing buildings thereon totaling approximately 67,000-square-feet to serve as a storage facility located in Skyview at Block 49 3rd Addition (the “Project”) and to be leased by the Issuer to Block 49, LLC, a Kansas limited. The Issuer further intends to lease such facility to Block 49, LLC, a Kansas (the “Tenant”). The governing body of the Issuer will not pass an ordinance authorizing the issuance of such revenue bonds until the public hearing has been concluded.

Notice is further given, in accordance with K.S.A. 12-1744e, that the Issuer intends to issue the Bonds and lease the facility to the Tenant as set out above.

A copy of this Notice, together with a copy of the inducement resolution of the Issuer adopted on August 2, 2022, indicating the intent of the governing body of the Issuer to issue such Bonds and a report analyzing the costs and benefits of such property tax exemption are on file in the office of the Clerk, or will be as soon as completed, and available for public inspection during normal business hours.

All persons having an interest in this matter will be given an opportunity to be heard at the time and place above specified.

Dated: August 2, 2022

CITY OF BEL AIRE, KANSAS

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
7/21/2022

RESOLUTION NO. R-22-__

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUIRING, EQUIPPING AND CONSTRUCTING OF A STORAGE FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

WHEREAS, the City of Bel Aire, Kansas (the “Issuer”) desires to promote, stimulate and develop the general economic welfare and prosperity of the City of Bel Aire, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the “Act”), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$7,000,000 be authorized and issued, in one or more series, to provide funds to pay the costs of acquiring land, and acquiring, equipping and constructing buildings thereon totaling approximately 67,000-square-feet to serve as a storage facility located in Skyview at Block 49 3rd Addition (the “Project”) and to be leased by the Issuer to Block 49, LLC, a Kansas limited liability company, or another legal entity to be formed by the principals of Block 49, LLC (the “Tenant”).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

Section 1. **Public Purpose.** The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.

Section 2. **Authorization to Acquire Project; Intent to Issue Bonds.** The Issuer is hereby authorized to proceed with the acquiring, equipping and constructing of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$7,000,000 (the “Bonds”) to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. **Conditions to Issuance of Bonds.** The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Bond Agreement, Site Lease, Project Lease, or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the “Purchaser”), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. (“Bond Counsel”) in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the

issuance of the Bonds; (f) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) expenses of the Issuer and the Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals; and (g) the execution of an agreement with the Tenant relating to the payment and exemption of portions of property taxes assessed against the Project after issuance of the Bonds, in accordance with the following Payment in Lieu of Taxes (PILOT) schedule:

Year 1	0%
Year 2	10%
Year 3	20%
Year 4	30%
Year 5	40%
Year 6	50%
Year 7	60%
Year 8	70%
Year 9	80%
Year 10	90%.

Section 4. **Notices.** The Clerk is hereby authorized and directed to publish an appropriate notice of intent to issue the Bonds and to enter into a Site Lease and Project Lease with the Tenant pursuant to the provisions of the Act and to publish a notice of public hearing with respect to the granting of a complete or partial property tax exemption as required by Kansas law.

Section 5. **Sales Tax Exemption.** The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq.* (the “Sales Tax Act”), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 6. **Reliance by Tenant; Limited Liability of Issuer.** It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 7. **Further Action.** The Clerk is hereby authorized to deliver an executed copy of this Resolution to the Tenant. The Mayor, Clerk and other officials and employees of the Issuer, including the Issuer’s counsel and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; (b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act; and (c) cooperate with the Tenant to maintain any *ad valorem* property tax exemption for the Project and related facilities.

Section 8. **Effective Date.** This resolution shall become effective upon adoption by the Governing Body and shall remain in effect until February 2, 2023, unless extended by affirmative vote of a majority of the Governing Body.

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ADOPTED by the governing body of the City of Bel Aire, Kansas on August 2, 2022.

[SEAL]

Mayor

Attest:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on August 2, 2022, as the same appears of record in my office.

DATED: August 2, 2022.

Clerk

Gilmore & Bell, P.C.
7/21/2022

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON AUGUST 2, 2022**

The governing body met in regular session at the usual meeting place in the City on August 2, 2022, at 7:00 p.m., the following members being present and participating, to wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUIRING, EQUIPPING AND CONSTRUCTING OF A STORAGE FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

Thereupon, Councilmember _____ moved that the Resolution be adopted. The motion was seconded by Councilmember _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. R-22-__ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Clerk

July 19, 2022

Block 49, LLC
5219 N Hampton
Bel Aire, KS 67226

Re: Letter of Intent to Issue IRB's and Provide Other Incentives for Construction of a Storage Unit Facility.

Dear Mr. Reese,

Subject to formal IRB document approval by the City Council of Bel Aire, this Letter of Intent with Block 49, LLC is submitted in order to set forth the agreement of the parties concerning the principal elements of Block 49. LLC commitment to the City of Bel Aire and the City's intent to provide the incentives outlined herein, including the issuance of Industrial Revenue Bonds pursuant to K.S.A. 12-1740 et seq., to construct ten storage buildings and one office building totaling 67,000 square foot for storage at their location in Skyview at Block 49 3rd Addition. This letter of intent is subject in all respects to subsequent actions by the City Council to authorize specific incentives outlined herein and does not constitute a binding obligation of the parties, until such actions have been taken and all documents contemplated herein are executed. Absent subsequent rescission or extension by action of the governing body, this letter of intent to issue bonds and provide other incentives will remain in effect for six months, unless extended by the parties. This letter of intent is void if not signed and accepted within 30 days from the date of signing

I. Industrial Revenue Bonds

At the option of Block 49, LLC, the City intends to authorize the issuance of taxable Industrial Revenue Bonds ("bonds" or "IRB's") to finance the cost of acquiring land, equipping and constructing ten buildings totaling 67,000 square foot for storage in Bel Aire for an aggregate total not to exceed \$7,000,000.00

The Industrial Revenue Bonds will be privately placed by Block 49, LLC, its investors and its lenders.

II. Other Incentives:

The City will assess a 1% origination fee due at closing, total shall not exceed \$100,000.00.

The City Council hereby conditionally approves a 100% ad valorem property tax exemption on the bond-financed property for a 10 year term ad valorem property tax exemption, all subject to the tenant's ongoing compliance with the Industrial Revenue

7651 East Central Park Avenue

Bel Aire, Kansas 67226

PHONE (316) 744-2451

FAX (316) 744-2451

Bond Policy as well as conditions included in this LOI. Under state law, no exemption may be granted from the ad valorem property tax levied by a school district for the capital outlay fund pursuant to the provisions of K.S.A. 72-8801, which levy may not exceed 8 mills.

Based on the assessed valuation of the current property tax which is payable for that year.

The City Council hereby conditionally approves a sales tax exemption in connection with the purchase of materials and equipment used in construction and equipping of the project based on IRB statutes of the State of Kansas.

The following Payment in Lieu of Taxes (PILOT) shall be required:

Year 1	0%
Year 2	10%
Year 3	20%
Year 4	30%
Year 5	40%
Year 6	50%
Year 7	60%
Year 8	70%
Year 9	80%
Year 10	90%

III. Other Conditions:

Closing of the IRB and issuance is subject to negotiation of the IRB bond documents, compliance with state law and City ordinances and policies for the issuance of the IRB bonds, and receipt of commitments for the purchase of IRB bonds from lenders / equity holders.

Negotiation of a lease agreement.

Preparation of appropriate bond ordinance.

Execution of guarantees for payment of bonds to the extent required by the owner of the bonds.

The applicant will identify all owners of the Block 49, LLC and their portion of equity as well as officers. The applicant will notify the City of any changes in ownership or officers as long as the bonds are outstanding.

Provide the City with a copy of the current financial statements, business plan and financial projections for Block 49, LLC storage facilities.

Agreement to pay all costs incurred by the City for processing the application and issuance of the bonds.

Agreement to pay the City an Administrative fee of \$2,500.00 per year for the time period in which the bonds are outstanding.

An agreement that prior to the issuance of the bonds, the prospective tenant will obtain a suitable commitment for a policy of title insuring the title of any real property conveyed to the City in connection with the financing.

This agreement only covers the proposed buildings totaling 67,000 square foot for both.

Block 49, LLC will cooperate with any annual compliance procedures the City may require in compliance with the Lease Agreements and IRB's including any annual reports required of the applicant as well as any inspections of the applicant's premises or interviews with the applicant's staff.


The City may revoke any ad valorem property tax abatement or impose a payment in lieu of taxes in the amount of any ad valorem property taxes abated in the event the City Council finds, upon the fourth year, that Block 49, LLC did not achieve its capital investment of \$6,000,000.00 and employment goal of 1 full time employee.

The applicant will continue using the property as a storage facility.

IV. Assignment of Letter of Intent

This Letter of Intent is not assignable by Block 49, LLC without the City's expressed written approval.

Sincerely,



Jim Benage, Mayor

July 19, 2022
Date

Attest:


City Manager

Accepted:

Block 49, LLC

Andrew Reese, Owner

7/21/22
Date

Gilmore & Bell, P.C.
07/24/2022

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON AUGUST 2, 2022**

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

The Mayor opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain internal improvements heretofore authorized by the governing body of the City. It was determined by the governing body that notice of the public hearing was duly published and mailed in accordance with K.S.A. 12-6a01 *et seq.* Thereafter, the Mayor adjourned the public hearing.

Thereupon, an Ordinance was presented entitled:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS, INCLUDING BENEFIT FEES, ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 AND R-20-11; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS AND BENEFIT FEES.

The Ordinance was considered and discussed; and on motion of Councilmember _____ seconded by Councilmember _____, the Ordinance as a whole was passed by the following roll call vote:

Yea: _____.

Nay: _____.

Thereupon, a majority of the members of the governing body having voted in favor of the adoption of the Ordinance, it was given No. ____, was approved and signed by the Mayor and attested by the City Clerk; and the City Clerk was ordered to cause the Ordinance or a summary thereof to be published one time in the official City newspaper as required by law, and to cause to be mailed a Notice of Assessment to each and all of the known property owners affected thereby on the same date that the Ordinance or summary thereof is published.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
07/24/2022

(Published in the *Ark Valley News* on August 4, 2022)

ORDINANCE NO. _____

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS, INCLUDING BENEFIT FEES, ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 AND R-20-11; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS AND BENEFIT FEES.

WHEREAS, the governing body of the City of Bel Aire, Kansas (the "City") has heretofore authorized certain improvements (the "Improvements") to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body has heretofore conducted a public hearing in accordance with the Act and desires to levy assessments and benefit fees on certain property benefited by the construction of the Improvements and certain other prior improvements, all pursuant to the Act, K.S.A. 12-6a19 and Article 12, Section 5 of the Kansas Constitution.

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

Section 1. Levy of Assessments. For the purpose of paying the costs of the following described Improvements:

**Project No. 1 – Villas at Prestwick Phase 1 - Drainage Improvements
Authorized by Resolution No. R-18-05**

Construction of a drainage system to serve certain lots of Villas at Prestwick Addition, an addition to the City of Bel Aire, Sedgwick County, Kansas.

**Project No. 2 – Villas at Prestwick Phase 1 - Street Improvements
Authorized by Resolution No. R-18-07**

Construction of pavement on Villa Place from the south edge of Prestwick Avenue at a point approximately 105 feet south of the intersection of Cambridge Street and Prestwick Avenue looping around approximately 1200 feet to the south edge of Prestwick Avenue at a point approximately 145 feet north to the intersection of Cambridge Street and Prestwick Avenue; Sidewalk from the south edge of Prestwick Avenue in Reserve B, along the inside loop of Villa Place crossing Lots 1 through 6, Block 2, to the south edge of Prestwick Avenue in Reserve B; Side walk crossing from Villa Place to Jasmine Street across the drainage way, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Project No. 3 – Villas at Prestwick Phase 1 – Sanitary Sewer Improvements
Authorized by Resolution No. R-18-09

Construction of a lateral sanitary sewer, to serve certain lots of Villas at Prestwick Addition, an addition to the City of Bel Aire, Sedgwick County, Kansas, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Project No. 4 – Villas at Prestwick Phase 1 – Water Distribution System Improvements
Authorized by Resolution No. R-18-11

Construction of a water distribution system including necessary water mains, pipes, valves, hydrants, and appurtenances, to serve certain lots of Villas at Prestwick Addition, an addition to the City of Bel Aire, Sedgwick County, Kansas, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Project No. 5 – Rock Spring Addition Phase 6 - Paving Improvements
Authorized by Resolution No. R-19-04

Construction of pavement on Pebblecreek from the west line of Lot 5, Block 2, Rock Spring Addition to the North line of said Addition including the cul-de-sac serving lots 7-9, Block 1.

Project No. 6 – Rock Spring Addition Phase 6 – Water Improvements
Authorized by Resolution No. R-19-05

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances to serve certain lots of Rock Spring Addition to the City of Bel Aire, Sedgwick County, Kansas, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 7 – Rock Spring 3rd Addition – Phase 1 Paving Improvements
Authorized by Resolution No. R-21-26

Construction of pavement on TOBEN from the South line of Lot 9, Block 3, Rock Spring 3rd Addition to the North line of said Addition; TOBEN COURT from the West line of Toben to and including the cul-de-sac; and TOBEN COURT from the West line of Toben to and including the cul-de-sac.

Project No. 8 – Rock Spring 3rd Addition – Phase 1 Sewer Improvements
Authorized by Resolution No. R-21-28

Construction of a lateral sanitary sewer to serve certain lots of Rock Spring 3rd Addition to the City of Bel Aire, Kansas.

Project No. 9 – Rock Spring 3rd Addition - Drainage Improvements
Authorized by Resolution No. R-21-30

Construction of a stormwater pond, swales and mass grading to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 10 – Rock Spring 3rd Addition – Phase 1 Water Improvements
Authorized by Resolution No. R-21-31

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 11 – Webb Road Gravity Sewer Main Improvements
Authorized by Resolution No. R-20-10

Construction of a sanitary sewer gravity trunk main line, and related improvements, with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 12 – Webb Road Lift Station Improvements
Authorized by Resolution No. R-20-11

Construction a sanitary sewer lift station, including force main, access drive and related improvements, with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

there are hereby levied and assessed the amounts, including benefit fees (with such clerical or administrative amendments thereto as may be approved by the City Attorney), against the property described on *Exhibit A* attached hereto.

Section 2. Payment of Assessments. The amounts so levied and assessed in *Section 1* of this Ordinance shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part within fifteen (15) days from the date of this Ordinance.

Section 3. Notification. The City Clerk shall notify the owners of the properties described in *Exhibit A* attached hereto insofar as known to said City Clerk, of the amounts of their respective assessments and benefit fees; and, said notice shall further state that unless such assessments are paid within fifteen (15) days from the date of this Ordinance, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

Section 4. Certification. Any amount of special assessments or benefit fees not paid within the time prescribed in *Section 2* hereof shall be certified by the City Clerk to the Clerk of Sedgwick County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in twenty (20) annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Section 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official City newspaper.

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PASSED by the governing body of the City of Bel Aire, Kansas, on August 2, 2022, and signed and **APPROVED** by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on August 2, 2022; that the record of the final vote on its passage is found on page ____ of journal ____; and that the Ordinance or a summary thereof was published in the *Ark Valley News* on August 4, 2022.

DATED: August 2, 2022.

City Clerk

EXHIBIT A

Legal Description (Villas at Prestwick Phase 1)	Drainage Res. R-18-05	Street Res. R-18-07	Sanitary Sewer Res. R-18-09	Water Res. R-18-11
Block 1, Lot 1	\$14,278.17	\$32,106.74	\$16,149.03	\$9,170.03
Block 1, Lot 2	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 3	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 4	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 5	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 6	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 7	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 1	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 2	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 3	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 4	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 5	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 6	14,278.17	32,106.74	16,149.03	9,170.03

Legal Description (Rock Spring Addition Phase 6)	Paving Res. R-19-04	Water Res. R-19-05
Block 1, Lot 1	\$21,107.50	\$3,611.73
Block 1, Lot 2	21,107.50	3,611.73
Block 1, Lot 3	21,107.50	3,611.73
Block 1, Lot 4	21,107.50	3,611.73
Block 1, Lot 5	21,107.50	3,611.73
Block 1, Lot 6	21,107.50	3,611.73
Block 1, Lot 7	21,107.50	3,611.73
Block 1, Lot 8	21,107.50	3,611.73
Block 1, Lot 9	21,107.50	3,611.73

Block 1, Lot 10	21,107.50	3,611.73
Block 1, Lot 11	21,107.50	3,611.73
Block 2, Lot 1	21,107.50	3,611.73
Block 2, Lot 2	21,107.50	3,611.73
Block 2, Lot 3	21,107.50	3,611.73
Block 2, Lot 4	21,107.50	3,611.73
Block 2, Lot 5	21,107.50	3,611.73

Legal Description (Rock Spring 3rd Addition)	Ph. 1 Paving Res. R-21-26	Ph. 1 Sewer Res. R-21-28	Drainage Res. R-21-30	Ph. 1 Water Res. R-21-31
Block 1, Lot 1	\$22,133.79	\$5,494.00	\$4,001.46	\$4,469.92
Block 1, Lot 2	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 3	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 4	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 5	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 6	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 7	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 8	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 9	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 10	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 11	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 12	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 13	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 14	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 15	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 16	22,133.79	5,494.00	4,001.46	4,469.92

Block 1, Lot 17	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 18	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 19	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 20	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 21	0	5,494.00	4,001.46	0
Block 1, Lot 22	0	5,494.00	4,001.46	0
Block 1, Lot 23	0	5,494.00	4,001.46	0
Block 1, Lot 24	0	5,494.00	4,001.46	0
Block 1, Lot 25	0	5,494.00	4,001.46	0
Block 2, Lot 1	0	0	4,001.46	0
Block 2, Lot 2	0	0	4,001.46	0
Block 2, Lot 3	0	0	4,001.46	0
Block 2, Lot 4	0	0	4,001.46	0
Block 2, Lot 5	0	0	4,001.46	0
Block 2, Lot 6	0	0	4,001.46	0
Block 2, Lot 7	0	0	4,001.46	0
Block 2, Lot 8	0	0	4,001.46	0
Block 2, Lot 9	0	0	4,001.46	0
Block 2, Lot 10	0	0	4,001.46	0
Block 2, Lot 11	0	0	4,001.46	0
Block 2, Lot 12	0	0	4,001.46	0
Block 2, Lot 13	0	0	4,001.46	0
Block 2, Lot 14	0	0	4,001.46	0
Block 2, Lot 15	0	0	4,001.46	0
Block 2, Lot 16	0	0	4,001.46	0
Block 2, Lot 17	0	0	4,001.46	0

Block 2, Lot 18	0	0	4,001.46	0
Block 3, Lot 1	0	0	4,001.46	0
Block 3, Lot 2	0	0	4,001.46	0
Block 3, Lot 3	0	0	4,001.46	0
Block 3, Lot 4	0	0	4,001.46	0
Block 3, Lot 5	0	0	4,001.46	0
Block 3, Lot 6	0	0	4,001.46	0
Block 3, Lot 38, 4 th Add. (Replat of lots 7 and 8)	0	0	4,001.46	0
Block 3, Lot 9	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 10	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 11	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 12	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 13	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 14	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 15	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 16	22,133.79	5,494.00	4,001.46	4,469.92

Legal Description (Rock Spring 3rd)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block 1, Lot 1	\$2,092.36	\$455.17
Block 1, Lot 2	2,092.36	455.17
Block 1, Lot 3	2,092.36	455.17
Block 1, Lot 4	2,092.36	455.17
Block 1, Lot 5	2,092.36	455.17
Block 1, Lot 6	2,092.36	455.17
Block 1, Lot 7	2,092.36	455.17

Block 1, Lot 8	2,092.36	455.17
Block 1, Lot 9	2,092.36	455.17
Block 1, Lot 10	2,092.36	455.17
Block 1, Lot 11	2,092.36	455.17
Block 1, Lot 12	2,092.36	455.17
Block 1, Lot 13	2,092.36	455.17
Block 1, Lot 14	2,092.36	455.17
Block 1, Lot 15	2,092.36	455.17
Block 1, Lot 16	2,092.36	455.17
Block 1, Lot 17	2,092.36	455.17
Block 1, Lot 18	2,092.36	455.17
Block 1, Lot 19	2,092.36	455.17
Block 1, Lot 20	2,092.36	455.17
Block 1, Lot 21	2,092.36	455.17
Block 1, Lot 22	2,092.36	455.17
Block 1, Lot 23	2,092.36	455.17
Block 1, Lot 24	2,092.36	455.17
Block 1, Lot 25	2,092.36	455.17
Block 2, Lot 1	2,092.36	455.17
Block 2, Lot 2	2,092.36	455.17
Block 2, Lot 3	2,092.36	455.17
Block 2, Lot 4	2,092.36	455.17
Block 2, Lot 5	2,092.36	455.17
Block 2, Lot 6	2,092.36	455.17
Block 2, Lot 7	2,092.36	455.17
Block 2, Lot 8	2,092.36	455.17
Block 2, Lot 9	2,092.36	455.17

Block 2, Lot 10	2,092.36	455.17
Block 2, Lot 11	2,092.36	455.17
Block 2, Lot 12	2,092.36	455.17
Block 2, Lot 13	2,092.36	455.17
Block 2, Lot 14	2,092.36	455.17
Block 2, Lot 15	2,092.36	455.17
Block 2, Lot 16	2,092.36	455.17
Block 2, Lot 17	2,092.36	455.17
Block 2, Lot 18	2,092.36	455.17
Block 3, Lot 1	2,092.36	455.17
Block 3, Lot 2	2,092.36	455.17
Block 3, Lot 3	2,092.36	455.17
Block 3, Lot 4	2,092.36	455.17
Block 3, Lot 5	2,092.36	455.17
Block 3, Lot 6	2,092.36	455.17
Block 3, Lot 9	2,092.36	455.17
Block 3, Lot 10	2,092.36	455.17
Block 3, Lot 11	2,092.36	455.17
Block 3, Lot 12	2,092.36	455.17
Block 3, Lot 13	2,092.36	455.17
Block 3, Lot 14	2,092.36	455.17
Block 3, Lot 15	2,092.36	455.17
Block 3, Lot 16	2,092.36	455.17
Legal Description (Tract 2— Unplatted)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
SE 1/4 EXC S 1/2 XC S 1/2 THEREOF & EXC E 70 FT FOR RD SEC 17-26-2E	\$383,106.88	\$83,340.76

Legal Description (Tract 2-Cedar Pass Addition)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block A, Lot 1	\$2,461.46	\$535.46
Block A, Lot 2	1,875.67	408.03
Block A, Lot 3	1,627.13	353.97
Block A, Lot 4	1,540.95	335.22
Block A, Lot 5	1,526.82	332.14
Block A, Lot 6	2,066.37	449.52
Block A, Lot 7	1,825.31	397.08
Block A, Lot 8	1,362.02	296.29
Block A, Lot 9	1,396.99	303.90
Block A, Lot 10	1,548.09	336.77
Block A, Lot 11	1,460.78	317.78
Block A, Lot 12	1,655.42	360.12
Block A, Lot 13	1,527.25	332.24
Block A, Lot 14	1,342.28	292.00
Block A, Lot 15	1,453.98	316.30
Block A, Lot 16	1,593.22	346.59
Block A, Lot 17	2,247.14	488.84
Block A, Lot 18	2,417.62	525.93
Block A, Lot 19	2,411.53	524.60
Block A, Lot 20	1,954.26	425.13
Block A, Lot 21	1,486.17	323.30
Block A, Lot 22	1,440.03	313.26
Block A, Lot 23	1,439.62	313.17
Block A, Lot 24	1,442.70	313.84
Block A, Lot 25	2,365.92	514.68
Block A, Lot 26	2,004.38	436.03

Block A, Lot 27	1,362.37	296.37
Block A, Lot 28	1,362.37	296.37
Block A, Lot 29	1,459.68	317.54
Block A, Lot 30	1,459.68	317.54
Block A, Lot 31	1,459.68	317.54
Block A, Lot 32	1,375.46	299.22
Block A, Lot 33	1,697.43	369.26
Block A, Lot 34	2,125.31	462.34
Block A, Lot 35	2,068.26	449.93
Block A, Lot 36	1,723.79	374.99
Block A, Lot 37	1,306.95	284.31
Block A, Lot 38	1,356.09	295.00
Block A, Lot 39	1,356.09	295.00
Block A, Lot 40	1,356.09	295.00
Block A, Lot 41	1,356.09	295.00
Block A, Lot 42	1,356.09	295.00
Block A, Lot 43	1,358.98	295.63
Block A, Lot 44	1,773.57	385.82
Block A, Lot 45	1,705.89	371.10
Block A, Lot 46	1,853.32	403.17
Block A, Lot 47	1,531.17	333.09
Block A, Lot 48	1,351.38	293.98
Block A, Lot 49	1,351.38	293.98
Block A, Lot 50	1,351.38	293.98
Block A, Lot 51	1,351.38	293.98
Block A, Lot 52	1,351.38	293.98
Block A, Lot 53	1,351.38	293.98

Block A, Lot 54	1,351.38	293.98
Block A, Lot 55	1,283.37	279.18
Block A, Lot 56	1,575.36	342.70
Block A, Lot 57	2,300.53	500.46
Block A, Lot 58	2,481.17	539.75
Block A, Lot 59	1,733.66	377.14
Block A, Lot 60	1,338.26	291.12
Block A, Lot 61	1,351.38	293.98
Block A, Lot 62	1,351.38	293.98
Block A, Lot 63	1,351.38	293.98
Block A, Lot 64	1,351.38	293.98
Block A, Lot 65	1,351.38	293.98
Block A, Lot 66	1,351.38	293.98
Block A, Lot 67	1,351.38	293.98
Block A, Lot 68	1,376.65	299.48
Block A, Lot 69	2,047.91	445.50
Block A, Lot 70	2,201.78	478.97
Block A, Lot 71	2,366.16	514.73
Block A, Lot 72	1,842.92	400.91
Block A, Lot 73	1,457.98	317.17
Block A, Lot 74	1,318.42	286.81
Block A, Lot 75	1,412.59	307.29
Block A, Lot 76	1,318.42	286.81
Block A, Lot 77	1,318.42	286.81
Block A, Lot 78	1,412.59	307.29
Block A, Lot 79	1,318.42	286.81
Block A, Lot 80	1,845.88	401.55

Block A, Lot 81	1,763.18	383.56
Block A, Lot 82	1,714.57	372.99
Block B, Lot 1	2,461.46	535.46
Block B, Lot 2	2,071.60	450.65
Block B, Lot 3	1,719.08	373.97
Block B, Lot 4	1,538.74	334.74
Block B, Lot 5	1,538.16	334.61
Block B, Lot 6	1,361.49	296.18
Block B, Lot 7	1,764.41	383.83
Block B, Lot 8	1,599.60	347.98
Block B, Lot 9	1,196.69	260.33
Block B, Lot 10	1,373.35	298.76
Block B, Lot 11	1,432.15	311.55
Block B, Lot 12	1,514.61	329.49
Block B, Lot 13	1,746.03	379.83
Block B, Lot 14	1,635.05	355.69
Block B, Lot 15	1,677.66	364.96
Block B, Lot 16	1,489.19	323.96
Block B, Lot 17	1,385.31	301.36
Block B, Lot 18	1,435.70	312.32
Block B, Lot 19	1,413.25	307.44
Block B, Lot 20	1,532.65	333.41
Block B, Lot 21	1,705.05	370.91
Block B, Lot 22	1,491.90	324.55
Block B, Lot 23	1,579.51	343.61
Block B, Lot 24	1,660.74	361.28
Block B, Lot 25	1,585.64	344.94

Block B, Lot 26	1,536.90	334.34
Block B, Lot 27	1,373.35	298.76
Block B, Lot 28	1,373.35	298.76
Block B, Lot 29	1,373.35	298.76
Block B, Lot 30	1,373.35	298.76
Block B, Lot 31	1,373.35	298.76
Block B, Lot 32	1,373.35	298.76
Block B, Lot 33	2,135.43	464.54
Block B, Lot 34	1,848.65	402.15
Block B, Lot 35	1,373.35	298.76
Block B, Lot 36	1,373.35	298.76
Block B, Lot 37	1,373.35	298.76
Block B, Lot 38	1,373.35	298.76
Block B, Lot 39	1,475.99	321.09
Block B, Lot 40	1,878.50	408.65
Block B, Lot 41	3,376.93	734.61
Block B, Lot 42	9,637.04	2,096.43
Block B, Lot 43	1,376.10	299.36
Block B, Lot 44	1,373.35	298.76
Block B, Lot 45	1,373.35	298.76
Block B, Lot 46	1,373.35	298.76
Block B, Lot 47	1,373.35	298.76
Block B, Lot 48	1,692.18	368.11
Block B, Lot 49	2,162.71	470.47
Block B, Lot 50	1,613.56	351.01
Block B, Lot 51	1,621.45	352.73
Block B, Lot 52	1,634.94	355.66

Block B, Lot 53	1,799.96	391.56
Block B, Lot 54	2,127.16	462.74
Block B, Lot 55	1,823.39	396.66
Block B, Lot 56	1,653.08	359.61
Block B, Lot 57	1,720.62	374.30
Block B, Lot 58	1,680.50	365.57
Block B, Lot 59	2,680.77	583.17
Block B, Lot 60	1,499.39	326.18
Block B, Lot 61	1,471.45	320.10
Block B, Lot 62	1,471.45	320.10
Block B, Lot 63	2,134.48	464.33
Block C, Lot 1	1,923.64	418.47
Block C, Lot 2	1,849.16	402.27
Block C, Lot 3	1,685.22	366.60
Block C, Lot 4	1,294.63	281.63
Block C, Lot 5	1,551.64	337.54
Block C, Lot 6	1,868.85	406.55
Block C, Lot 7	1,978.09	430.31
Block C, Lot 8	1,696.34	369.02
Block C, Lot 9	1,611.14	350.49
Block C, Lot 10	2,172.63	472.63
Block C, Lot 11	3,874.24	842.80
Block C, Lot 12	2,875.00	625.43
Block C, Lot 13	1,908.98	415.28
Block C, Lot 14	1,586.92	345.22
Block C, Lot 15	1,512.42	329.01
Block C, Lot 16	2,230.99	485.33

Block C, Lot 17	1,640.01	356.77
Block C, Lot 18	1,450.26	315.49
Block C, Lot 19	1,450.26	315.49
Block C, Lot 20	1,450.26	315.49
Block C, Lot 21	1,450.26	315.49
Block C, Lot 22	1,425.32	310.06
Block C, Lot 23	1,768.61	384.74
Block C, Lot 24	2,823.93	614.32
Block C, Lot 25	2,560.00	556.90
Block C, Lot 26	1,790.74	389.56
Block C, Lot 27	1,436.31	312.45
Block C, Lot 28	1,461.25	317.88
Block C, Lot 29	1,461.25	317.88
Block C, Lot 30	1,461.25	317.88
Block C, Lot 31	1,461.25	317.88
Block C, Lot 32	1,670.00	363.29
Block C, Lot 33	15,086.73	3,281.96
Block C, Lot 34	20,157.31	4,385.01
Block C, Lot 35	35,195.53	7,656.41
Legal Description (Tract 3--Rock Spring 4th)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block 1, Lot 1	\$2,461.96	\$535.57
Block 1, Lot 2	1,733.93	377.20
Block 1, Lot 3	1,504.04	327.19
Block 1, Lot 4	1,496.33	325.51
Block 1, Lot 5	1,589.89	345.86
Block 1, Lot 6	1,590.05	345.90

Block 1, Lot 7	1,496.65	325.58
Block 1, Lot 8	1,496.65	325.58
Block 1, Lot 9	1,457.18	316.99
Block 2, Lot 1	28,964.60	6,300.94
Block 2, Lot 2	1,592.88	346.51
Block 2, Lot 3	1,347.42	293.12
Block 2, Lot 4	1,347.42	293.12
Block 2, Lot 5	1,347.42	293.12
Block 2, Lot 6	1,422.27	309.40
Block 2, Lot 7	1,553.25	337.89
Block 2, Lot 8	1,486.42	323.36
Block 2, Lot 9	1,497.90	325.85
Block 3, Lot 1	1,448.69	315.15
Block 3, Lot 2	1,434.69	312.10
Block 3, Lot 3	1,614.11	351.13
Block 3, Lot 4	1,614.11	351.13
Block 3, Lot 5	1,542.40	335.53
Block 3, Lot 6	1,542.40	335.53
Block 3, Lot 7	1,869.94	406.79
Block 3, Lot 8	1,573.85	342.37
Block 3, Lot 9	1,384.06	301.09
Block 3, Lot 10	1,384.06	301.09
Block 3, Lot 11	1,384.06	301.09
Block 3, Lot 12	1,462.05	318.05
Block 3, Lot 13	1,637.54	356.23
Block 3, Lot 14	1,551.52	337.52
Block 3, Lot 15	1,472.74	320.38

Block 3, Lot 16	1,289.40	280.49
Block 3, Lot 17	1,411.73	307.11
Block 3, Lot 18	1,488.63	323.83
Block 3, Lot 19	1,685.81	366.73
Block 3, Lot 20	1,614.11	351.13
Block 3, Lot 21	1,614.11	351.13
Block 3, Lot 22	1,764.90	383.94
Block 3, Lot 23	1,609.55	350.14
Block 3, Lot 24	1,403.56	305.33
Block 3, Lot 25	1,403.56	305.33
Block 3, Lot 26	1,403.56	305.33
Block 3, Lot 27	1,481.55	322.30
Block 3, Lot 28	1,481.55	322.30
Block 3, Lot 29	1,403.40	305.29
Block 3, Lot 30	1,631.25	354.86
Block 3, Lot 31	1,138.29	247.62
Block 3, Lot 32	1,323.68	287.95
Block 3, Lot 33	1,406.70	306.01
Block 3, Lot 34	1,406.70	306.01
Block 3, Lot 35	1,337.99	291.06
Block 3, Lot 36	1,338.14	291.10
Block 3, Lot 37	1,452.77	316.04
Block 3, Lot 38	2,593.89	564.27

NOTICE OF ASSESSMENT

August 2, 2022
Bel Aire, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on ***Schedule I*** attached hereto, that pursuant to Ordinance No. _____ (the "Ordinance") of the City of Bel Aire, Kansas (the "City") there has been assessed against said property, the costs of certain internal improvements heretofore authorized by the governing body of the City (the "Improvements"). The description of the Improvements, the resolution number authorizing the same and the amount of assessment are set forth on ***Schedule I*** attached hereto.

You may pay this assessment in whole or in part to the City Treasurer of the City within fifteen (15) days from August 2, 2022; and if the amount is not paid within said time period, bonds will be issued therefor, and the balance of such assessment will be collected in twenty (20) annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.*, including K.S.A. 12-6a19. Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Melissa Krehbiel, City Clerk

SCHEDULE I

Legal Description (Villas at Prestwick Phase 1)	Drainage Res. R-18-05	Street Res. R-18-07	Sanitary Sewer Res. R-18-09	Water Res. R-18-11
Block 1, Lot 1	\$14,278.17	\$32,106.74	\$16,149.03	\$9,170.03
Block 1, Lot 2	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 3	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 4	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 5	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 6	14,278.17	32,106.74	16,149.03	9,170.03
Block 1, Lot 7	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 1	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 2	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 3	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 4	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 5	14,278.17	32,106.74	16,149.03	9,170.03
Block 2, Lot 6	14,278.17	32,106.74	16,149.03	9,170.03

Legal Description (Rock Spring Addition Phase 6)	Paving Res. R-19-04	Water Res. R-19-05
Block 1, Lot 1	\$21,107.50	\$3,611.73
Block 1, Lot 2	21,107.50	3,611.73
Block 1, Lot 3	21,107.50	3,611.73
Block 1, Lot 4	21,107.50	3,611.73
Block 1, Lot 5	21,107.50	3,611.73
Block 1, Lot 6	21,107.50	3,611.73
Block 1, Lot 7	21,107.50	3,611.73
Block 1, Lot 8	21,107.50	3,611.73
Block 1, Lot 9	21,107.50	3,611.73

Block 1, Lot 10	21,107.50	3,611.73
Block 1, Lot 11	21,107.50	3,611.73
Block 2, Lot 1	21,107.50	3,611.73
Block 2, Lot 2	21,107.50	3,611.73
Block 2, Lot 3	21,107.50	3,611.73
Block 2, Lot 4	21,107.50	3,611.73
Block 2, Lot 5	21,107.50	3,611.73

Legal Description (Rock Spring 3 rd Addition)	Ph. 1 Paving Res. R-21-26	Ph. 1 Sewer Res. R-21-28	Drainage Res. R-21-30	Ph. 1 Water Res. R-21-31
Block 1, Lot 1	\$22,133.79	\$5,494.00	\$4,001.46	\$4,469.92
Block 1, Lot 2	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 3	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 4	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 5	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 6	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 7	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 8	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 9	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 10	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 11	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 12	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 13	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 14	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 15	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 16	22,133.79	5,494.00	4,001.46	4,469.92

Block 1, Lot 17	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 18	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 19	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 20	22,133.79	5,494.00	4,001.46	4,469.92
Block 1, Lot 21	0	5,494.00	4,001.46	0
Block 1, Lot 22	0	5,494.00	4,001.46	0
Block 1, Lot 23	0	5,494.00	4,001.46	0
Block 1, Lot 24	0	5,494.00	4,001.46	0
Block 1, Lot 25	0	5,494.00	4,001.46	0
Block 2, Lot 1	0	0	4,001.46	0
Block 2, Lot 2	0	0	4,001.46	0
Block 2, Lot 3	0	0	4,001.46	0
Block 2, Lot 4	0	0	4,001.46	0
Block 2, Lot 5	0	0	4,001.46	0
Block 2, Lot 6	0	0	4,001.46	0
Block 2, Lot 7	0	0	4,001.46	0
Block 2, Lot 8	0	0	4,001.46	0
Block 2, Lot 9	0	0	4,001.46	0
Block 2, Lot 10	0	0	4,001.46	0
Block 2, Lot 11	0	0	4,001.46	0
Block 2, Lot 12	0	0	4,001.46	0
Block 2, Lot 13	0	0	4,001.46	0
Block 2, Lot 14	0	0	4,001.46	0
Block 2, Lot 15	0	0	4,001.46	0
Block 2, Lot 16	0	0	4,001.46	0
Block 2, Lot 17	0	0	4,001.46	0

Block 2, Lot 18	0	0	4,001.46	0
Block 3, Lot 1	0	0	4,001.46	0
Block 3, Lot 2	0	0	4,001.46	0
Block 3, Lot 3	0	0	4,001.46	0
Block 3, Lot 4	0	0	4,001.46	0
Block 3, Lot 5	0	0	4,001.46	0
Block 3, Lot 6	0	0	4,001.46	0
Block 3, Lot 38, 4 th Add. (Replat of lots 7 and 8)	0	0	4,001.46	0
Block 3, Lot 9	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 10	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 11	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 12	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 13	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 14	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 15	22,133.79	5,494.00	4,001.46	4,469.92
Block 3, Lot 16	22,133.79	5,494.00	4,001.46	4,469.92

Legal Description (Rock Spring 3rd)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block 1, Lot 1	\$2,092.36	\$455.17
Block 1, Lot 2	2,092.36	455.17
Block 1, Lot 3	2,092.36	455.17
Block 1, Lot 4	2,092.36	455.17
Block 1, Lot 5	2,092.36	455.17
Block 1, Lot 6	2,092.36	455.17
Block 1, Lot 7	2,092.36	455.17

Block 1, Lot 8	2,092.36	455.17
Block 1, Lot 9	2,092.36	455.17
Block 1, Lot 10	2,092.36	455.17
Block 1, Lot 11	2,092.36	455.17
Block 1, Lot 12	2,092.36	455.17
Block 1, Lot 13	2,092.36	455.17
Block 1, Lot 14	2,092.36	455.17
Block 1, Lot 15	2,092.36	455.17
Block 1, Lot 16	2,092.36	455.17
Block 1, Lot 17	2,092.36	455.17
Block 1, Lot 18	2,092.36	455.17
Block 1, Lot 19	2,092.36	455.17
Block 1, Lot 20	2,092.36	455.17
Block 1, Lot 21	2,092.36	455.17
Block 1, Lot 22	2,092.36	455.17
Block 1, Lot 23	2,092.36	455.17
Block 1, Lot 24	2,092.36	455.17
Block 1, Lot 25	2,092.36	455.17
Block 2, Lot 1	2,092.36	455.17
Block 2, Lot 2	2,092.36	455.17
Block 2, Lot 3	2,092.36	455.17
Block 2, Lot 4	2,092.36	455.17
Block 2, Lot 5	2,092.36	455.17
Block 2, Lot 6	2,092.36	455.17
Block 2, Lot 7	2,092.36	455.17
Block 2, Lot 8	2,092.36	455.17
Block 2, Lot 9	2,092.36	455.17

Block 2, Lot 10	2,092.36	455.17
Block 2, Lot 11	2,092.36	455.17
Block 2, Lot 12	2,092.36	455.17
Block 2, Lot 13	2,092.36	455.17
Block 2, Lot 14	2,092.36	455.17
Block 2, Lot 15	2,092.36	455.17
Block 2, Lot 16	2,092.36	455.17
Block 2, Lot 17	2,092.36	455.17
Block 2, Lot 18	2,092.36	455.17
Block 3, Lot 1	2,092.36	455.17
Block 3, Lot 2	2,092.36	455.17
Block 3, Lot 3	2,092.36	455.17
Block 3, Lot 4	2,092.36	455.17
Block 3, Lot 5	2,092.36	455.17
Block 3, Lot 6	2,092.36	455.17
Block 3, Lot 9	2,092.36	455.17
Block 3, Lot 10	2,092.36	455.17
Block 3, Lot 11	2,092.36	455.17
Block 3, Lot 12	2,092.36	455.17
Block 3, Lot 13	2,092.36	455.17
Block 3, Lot 14	2,092.36	455.17
Block 3, Lot 15	2,092.36	455.17
Block 3, Lot 16	2,092.36	455.17
Legal Description (Tract 2— Unplatted)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
SE 1/4 EXC S 1/2 XC S 1/2 THEREOF & EXC E 70 FT FOR RD SEC 17-26-2E	\$383,106.88	\$83,340.76

Legal Description (Tract 2-Cedar Pass Addition)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block A, Lot 1	\$2,461.46	\$535.46
Block A, Lot 2	1,875.67	408.03
Block A, Lot 3	1,627.13	353.97
Block A, Lot 4	1,540.95	335.22
Block A, Lot 5	1,526.82	332.14
Block A, Lot 6	2,066.37	449.52
Block A, Lot 7	1,825.31	397.08
Block A, Lot 8	1,362.02	296.29
Block A, Lot 9	1,396.99	303.90
Block A, Lot 10	1,548.09	336.77
Block A, Lot 11	1,460.78	317.78
Block A, Lot 12	1,655.42	360.12
Block A, Lot 13	1,527.25	332.24
Block A, Lot 14	1,342.28	292.00
Block A, Lot 15	1,453.98	316.30
Block A, Lot 16	1,593.22	346.59
Block A, Lot 17	2,247.14	488.84
Block A, Lot 18	2,417.62	525.93
Block A, Lot 19	2,411.53	524.60
Block A, Lot 20	1,954.26	425.13
Block A, Lot 21	1,486.17	323.30
Block A, Lot 22	1,440.03	313.26
Block A, Lot 23	1,439.62	313.17
Block A, Lot 24	1,442.70	313.84
Block A, Lot 25	2,365.92	514.68
Block A, Lot 26	2,004.38	436.03

Block A, Lot 27	1,362.37	296.37
Block A, Lot 28	1,362.37	296.37
Block A, Lot 29	1,459.68	317.54
Block A, Lot 30	1,459.68	317.54
Block A, Lot 31	1,459.68	317.54
Block A, Lot 32	1,375.46	299.22
Block A, Lot 33	1,697.43	369.26
Block A, Lot 34	2,125.31	462.34
Block A, Lot 35	2,068.26	449.93
Block A, Lot 36	1,723.79	374.99
Block A, Lot 37	1,306.95	284.31
Block A, Lot 38	1,356.09	295.00
Block A, Lot 39	1,356.09	295.00
Block A, Lot 40	1,356.09	295.00
Block A, Lot 41	1,356.09	295.00
Block A, Lot 42	1,356.09	295.00
Block A, Lot 43	1,358.98	295.63
Block A, Lot 44	1,773.57	385.82
Block A, Lot 45	1,705.89	371.10
Block A, Lot 46	1,853.32	403.17
Block A, Lot 47	1,531.17	333.09
Block A, Lot 48	1,351.38	293.98
Block A, Lot 49	1,351.38	293.98
Block A, Lot 50	1,351.38	293.98
Block A, Lot 51	1,351.38	293.98
Block A, Lot 52	1,351.38	293.98
Block A, Lot 53	1,351.38	293.98

Block A, Lot 54	1,351.38	293.98
Block A, Lot 55	1,283.37	279.18
Block A, Lot 56	1,575.36	342.70
Block A, Lot 57	2,300.53	500.46
Block A, Lot 58	2,481.17	539.75
Block A, Lot 59	1,733.66	377.14
Block A, Lot 60	1,338.26	291.12
Block A, Lot 61	1,351.38	293.98
Block A, Lot 62	1,351.38	293.98
Block A, Lot 63	1,351.38	293.98
Block A, Lot 64	1,351.38	293.98
Block A, Lot 65	1,351.38	293.98
Block A, Lot 66	1,351.38	293.98
Block A, Lot 67	1,351.38	293.98
Block A, Lot 68	1,376.65	299.48
Block A, Lot 69	2,047.91	445.50
Block A, Lot 70	2,201.78	478.97
Block A, Lot 71	2,366.16	514.73
Block A, Lot 72	1,842.92	400.91
Block A, Lot 73	1,457.98	317.17
Block A, Lot 74	1,318.42	286.81
Block A, Lot 75	1,412.59	307.29
Block A, Lot 76	1,318.42	286.81
Block A, Lot 77	1,318.42	286.81
Block A, Lot 78	1,412.59	307.29
Block A, Lot 79	1,318.42	286.81
Block A, Lot 80	1,845.88	401.55

Block A, Lot 81	1,763.18	383.56
Block A, Lot 82	1,714.57	372.99
Block B, Lot 1	2,461.46	535.46
Block B, Lot 2	2,071.60	450.65
Block B, Lot 3	1,719.08	373.97
Block B, Lot 4	1,538.74	334.74
Block B, Lot 5	1,538.16	334.61
Block B, Lot 6	1,361.49	296.18
Block B, Lot 7	1,764.41	383.83
Block B, Lot 8	1,599.60	347.98
Block B, Lot 9	1,196.69	260.33
Block B, Lot 10	1,373.35	298.76
Block B, Lot 11	1,432.15	311.55
Block B, Lot 12	1,514.61	329.49
Block B, Lot 13	1,746.03	379.83
Block B, Lot 14	1,635.05	355.69
Block B, Lot 15	1,677.66	364.96
Block B, Lot 16	1,489.19	323.96
Block B, Lot 17	1,385.31	301.36
Block B, Lot 18	1,435.70	312.32
Block B, Lot 19	1,413.25	307.44
Block B, Lot 20	1,532.65	333.41
Block B, Lot 21	1,705.05	370.91
Block B, Lot 22	1,491.90	324.55
Block B, Lot 23	1,579.51	343.61
Block B, Lot 24	1,660.74	361.28
Block B, Lot 25	1,585.64	344.94

Block B, Lot 26	1,536.90	334.34
Block B, Lot 27	1,373.35	298.76
Block B, Lot 28	1,373.35	298.76
Block B, Lot 29	1,373.35	298.76
Block B, Lot 30	1,373.35	298.76
Block B, Lot 31	1,373.35	298.76
Block B, Lot 32	1,373.35	298.76
Block B, Lot 33	2,135.43	464.54
Block B, Lot 34	1,848.65	402.15
Block B, Lot 35	1,373.35	298.76
Block B, Lot 36	1,373.35	298.76
Block B, Lot 37	1,373.35	298.76
Block B, Lot 38	1,373.35	298.76
Block B, Lot 39	1,475.99	321.09
Block B, Lot 40	1,878.50	408.65
Block B, Lot 41	3,376.93	734.61
Block B, Lot 42	9,637.04	2,096.43
Block B, Lot 43	1,376.10	299.36
Block B, Lot 44	1,373.35	298.76
Block B, Lot 45	1,373.35	298.76
Block B, Lot 46	1,373.35	298.76
Block B, Lot 47	1,373.35	298.76
Block B, Lot 48	1,692.18	368.11
Block B, Lot 49	2,162.71	470.47
Block B, Lot 50	1,613.56	351.01
Block B, Lot 51	1,621.45	352.73
Block B, Lot 52	1,634.94	355.66

Block B, Lot 53	1,799.96	391.56
Block B, Lot 54	2,127.16	462.74
Block B, Lot 55	1,823.39	396.66
Block B, Lot 56	1,653.08	359.61
Block B, Lot 57	1,720.62	374.30
Block B, Lot 58	1,680.50	365.57
Block B, Lot 59	2,680.77	583.17
Block B, Lot 60	1,499.39	326.18
Block B, Lot 61	1,471.45	320.10
Block B, Lot 62	1,471.45	320.10
Block B, Lot 63	2,134.48	464.33
Block C, Lot 1	1,923.64	418.47
Block C, Lot 2	1,849.16	402.27
Block C, Lot 3	1,685.22	366.60
Block C, Lot 4	1,294.63	281.63
Block C, Lot 5	1,551.64	337.54
Block C, Lot 6	1,868.85	406.55
Block C, Lot 7	1,978.09	430.31
Block C, Lot 8	1,696.34	369.02
Block C, Lot 9	1,611.14	350.49
Block C, Lot 10	2,172.63	472.63
Block C, Lot 11	3,874.24	842.80
Block C, Lot 12	2,875.00	625.43
Block C, Lot 13	1,908.98	415.28
Block C, Lot 14	1,586.92	345.22
Block C, Lot 15	1,512.42	329.01
Block C, Lot 16	2,230.99	485.33

Block C, Lot 17	1,640.01	356.77
Block C, Lot 18	1,450.26	315.49
Block C, Lot 19	1,450.26	315.49
Block C, Lot 20	1,450.26	315.49
Block C, Lot 21	1,450.26	315.49
Block C, Lot 22	1,425.32	310.06
Block C, Lot 23	1,768.61	384.74
Block C, Lot 24	2,823.93	614.32
Block C, Lot 25	2,560.00	556.90
Block C, Lot 26	1,790.74	389.56
Block C, Lot 27	1,436.31	312.45
Block C, Lot 28	1,461.25	317.88
Block C, Lot 29	1,461.25	317.88
Block C, Lot 30	1,461.25	317.88
Block C, Lot 31	1,461.25	317.88
Block C, Lot 32	1,670.00	363.29
Block C, Lot 33	15,086.73	3,281.96
Block C, Lot 34	20,157.31	4,385.01
Block C, Lot 35	35,195.53	7,656.41
Legal Description (Tract 3--Rock Spring 4th)	Sewer Lift Station Res. R-21-11	Sewer Main Res. R-21-10
Block 1, Lot 1	\$2,461.96	\$535.57
Block 1, Lot 2	1,733.93	377.20
Block 1, Lot 3	1,504.04	327.19
Block 1, Lot 4	1,496.33	325.51
Block 1, Lot 5	1,589.89	345.86
Block 1, Lot 6	1,590.05	345.90

Block 1, Lot 7	1,496.65	325.58
Block 1, Lot 8	1,496.65	325.58
Block 1, Lot 9	1,457.18	316.99
Block 2, Lot 1	28,964.60	6,300.94
Block 2, Lot 2	1,592.88	346.51
Block 2, Lot 3	1,347.42	293.12
Block 2, Lot 4	1,347.42	293.12
Block 2, Lot 5	1,347.42	293.12
Block 2, Lot 6	1,422.27	309.40
Block 2, Lot 7	1,553.25	337.89
Block 2, Lot 8	1,486.42	323.36
Block 2, Lot 9	1,497.90	325.85
Block 3, Lot 1	1,448.69	315.15
Block 3, Lot 2	1,434.69	312.10
Block 3, Lot 3	1,614.11	351.13
Block 3, Lot 4	1,614.11	351.13
Block 3, Lot 5	1,542.40	335.53
Block 3, Lot 6	1,542.40	335.53
Block 3, Lot 7	1,869.94	406.79
Block 3, Lot 8	1,573.85	342.37
Block 3, Lot 9	1,384.06	301.09
Block 3, Lot 10	1,384.06	301.09
Block 3, Lot 11	1,384.06	301.09
Block 3, Lot 12	1,462.05	318.05
Block 3, Lot 13	1,637.54	356.23
Block 3, Lot 14	1,551.52	337.52
Block 3, Lot 15	1,472.74	320.38

Block 3, Lot 16	1,289.40	280.49
Block 3, Lot 17	1,411.73	307.11
Block 3, Lot 18	1,488.63	323.83
Block 3, Lot 19	1,685.81	366.73
Block 3, Lot 20	1,614.11	351.13
Block 3, Lot 21	1,614.11	351.13
Block 3, Lot 22	1,764.90	383.94
Block 3, Lot 23	1,609.55	350.14
Block 3, Lot 24	1,403.56	305.33
Block 3, Lot 25	1,403.56	305.33
Block 3, Lot 26	1,403.56	305.33
Block 3, Lot 27	1,481.55	322.30
Block 3, Lot 28	1,481.55	322.30
Block 3, Lot 29	1,403.40	305.29
Block 3, Lot 30	1,631.25	354.86
Block 3, Lot 31	1,138.29	247.62
Block 3, Lot 32	1,323.68	287.95
Block 3, Lot 33	1,406.70	306.01
Block 3, Lot 34	1,406.70	306.01
Block 3, Lot 35	1,337.99	291.06
Block 3, Lot 36	1,338.14	291.10
Block 3, Lot 37	1,452.77	316.04
Block 3, Lot 38	2,593.89	564.27

CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

The undersigned, City Clerk of the City of Bel Aire, Kansas, does hereby certify that on or before August 4, 2022, the date on which Ordinance No. ____ (the "Ordinance") of the City was published, I caused to be mailed to the owners of the properties liable for the assessments set out in the Ordinance, at their last known post office addresses, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which said assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal as of August ____, 2022.

(Seal)

Melissa Krehbiel, City Clerk

[attach sample copy of form]

(PUBLISHED IN THE *ARK VALLEY NEWS* ON AUGUST 4, 2022)

SUMMARY OF ORDINANCE NO. _____

On August 2, 2022, the governing body of the City of Bel Aire, Kansas passed an ordinance entitled:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS, INCLUDING BENEFIT FEES, ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 AND R-20-11; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS AND BENEFIT FEES.

The Ordinance levies special assessments and benefit fees on certain property located in Villas at Prestwick Addition (Phase 1), Rock Spring Addition (Phase 6), Rock Spring 3rd Addition (Phase 1), Rock Spring 4th Addition, Cedar Pass Addition, and an unplatted tract in the SE 1/4 EXC S 1/2 XC S 1/2 THEREOF & EXC E 70 FT FOR RD SEC 17-26-2E, which have been benefitted from certain internal improvements constructed pursuant to K.S.A. 12-6a01 *et seq.* and provides an opportunity for prepayment, in whole or in part, of said special assessments or benefit fees. A schedule of the amounts of said special assessments and benefit fees and the property benefitted are attached to the Ordinance. Any amount of special assessments and benefit fees not paid within the time prescribed in the Ordinance shall be certified by the City Clerk to the Clerk of Sedgwick County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by law. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 7651 E. Central Park Avenue, Bel Aire, Kansas 67226. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at <http://www.belaireks.org>.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: August 2, 2022.

City Attorney

CERTIFICATE OF CITY TREASURER

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

The undersigned, City Treasurer of the City of Bel Aire, Kansas (the "City"), does hereby certify that within the time allowed by Ordinance No. _____ of the City for the payment of special assessments and benefit fees in cash, property owners specially assessed for the costs of certain internal improvements heretofore authorized by the governing body of the City, paid in cash the amounts set forth below:

Resolution No.	Amount
R-18-05	
R-18-07	
R-18-09	
R-18-11	
R-19-04	
R-19-05	
R-21-26	
R-21-28	
R-21-30	
R-21-31	
R-20-10	
R-20-11	
TOTAL	\$ _____

WITNESS my hand on August ____, 2022.

City Treasurer

Gilmore & Bell, P.C.
07/26/2022

EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BELAIRE, KANSAS
HELD ON AUGUST 2, 2022

The governing body met in regular session at the usual meeting place in the City, at 7:00 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

The matter of providing for the offering for sale of General Obligation Bonds and General Obligation Temporary Notes, came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL
OBLIGATION BONDS, SERIES 2022A AND GENERAL OBLIGATION
TEMPORARY NOTES, SERIES 2022B, OF THE CITY OF BELAIRE, KANSAS.

Councilmember _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____

Nay: _____

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. R-22-[].

* * * * *

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Bel Aire, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

Gilmore & Bell, P.C.
07/26/2022

RESOLUTION NO. R-22-[]

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2022A AND GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2022B, OF THE CITY OF BEL AIRE, KANSAS.

WHEREAS, the City of Bel Aire, Kansas (the “Issuer”), has previously authorized certain internal improvements described as follows (collectively, the “2022A Improvements”):

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Cost</u>
<i>Villas at Prestwick Phase 1</i>			
Drainage	R-18-05	K.S.A. 12-6a01 <i>et seq.</i>	\$154,001.25
Street	R-18-07	K.S.A. 12-6a01 <i>et seq.</i>	346,296.44
Sanitary Sewer	R-18-09	K.S.A. 12-6a01 <i>et seq.</i>	174,180.00
Water Distribution	R-18-11	K.S.A. 12-6a01 <i>et seq.</i>	98,906.00
<i>Rock Springs Addition Phase 6</i>			
Paving	R-19-04	K.S.A. 12-6a01 <i>et seq.</i>	289,287.14
Water	R-19-05	K.S.A. 12-6a01 <i>et seq.</i>	44,360.74
<i>Rock Spring 3rd Addition</i>			
Paving, Phase 1	R-21-26	K.S.A. 12-6a01 <i>et seq.</i>	530,867.62
Sewer, Phase 1	R-21-28	K.S.A. 12-6a01 <i>et seq.</i>	155,301.40
Drainage	R-21-30	K.S.A. 12-6a01 <i>et seq.</i>	198,801.02
Water, Phase 1	R-21-31	K.S.A. 12-6a01 <i>et seq.</i>	95,816.12
<i>Webb Road Gravity Sewer Main</i>	R-20-10	K.S.A. 12-6a01 <i>et seq.</i>	184,029.64
<i>Webb Road Lift Station</i>	R-20-11	K.S.A. 12-6a01 <i>et seq.</i>	845,960.83

; and

WHEREAS, the Issuer desires to issue its general obligation bonds in order to permanently finance the costs of such 2022A Improvements and to retire the following temporary notes of the Issuer, which were issued to temporarily finance costs of the 2022A Improvements (the “2019C Notes”):

<u>Description</u>	<u>Series</u>	<u>Dated Date</u>	<u>Maturity</u>	<u>Amount</u>
General Obligation Temporary Renewal and Improvements Notes	2019C	September 27, 2022	December 1, 2022	\$2,860,000

; and

WHEREAS, the Issuer proposes to issue its general obligation bonds to pay the costs of the 2022A Improvements and to pay costs to retire the 2019C Notes; and

WHEREAS, pursuant to the provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the Issuer has previously authorized or will authorize certain internal improvements described as follows (collectively, the “2022B Improvements”):

Project Description	Res. No.	Authority (K.S.A.)	Estimated Cost*
<i>Chapel Landing Addition Phase 2</i>			
Paving	R-21-50	K.S.A. 12-6a01 <i>et seq.</i>	\$554,000
Sanitary Sewer	R-21-51	K.S.A. 12-6a01 <i>et seq.</i>	521,000
Drainage	R-21-52	K.S.A. 12-6a01 <i>et seq.</i>	532,000
Water Distribution	R-21-53	K.S.A. 12-6a01 <i>et seq.</i>	287,000
<i>Skyview at Block 49 Phase 2</i>			
Paving	R-22-01	K.S.A. 12-6a01 <i>et seq.</i>	\$372,000
Sanitary Sewer	R-22-02	K.S.A. 12-6a01 <i>et seq.</i>	173,000
Sidewalk	R-22-03	K.S.A. 12-6a01 <i>et seq.</i>	18,000
Drainage	R-22-04	K.S.A. 12-6a01 <i>et seq.</i>	271,000
Water Distribution	R-22-05	K.S.A. 12-6a01 <i>et seq.</i>	107,000
<i>Bristol Hollows Addition Phase 2</i>			
Paving	R-22-09	K.S.A. 12-6a01 <i>et seq.</i>	616,000
Sanitary Sewer	R-22-10	K.S.A. 12-6a01 <i>et seq.</i>	195,000
Water	R-22-11	K.S.A. 12-6a01 <i>et seq.</i>	173,000
<i>Chapel Landing Addition and Homestead Senior Landing</i>			
Sanitary Sewer Main	R-22-33	K.S.A. 12-6a01 <i>et seq.</i>	153,000
Sanitary Sewer Pump Station	R-22-34	K.S.A. 12-6a01 <i>et seq.</i>	1,685,000
<i>Cedar Pass Addition Phase 1</i>			
Paving	R-22-13	K.S.A. 12-6a01 <i>et seq.</i>	777,000
Sanitary Sewer	R-22-14	K.S.A. 12-6a01 <i>et seq.</i>	472,000
Drainage	R-22-15	K.S.A. 12-6a01 <i>et seq.</i>	1,092,000
Water Distribution	R-22-16	K.S.A. 12-6a01 <i>et seq.</i>	368,000

*Excluding temporary note interest and cost inflation factor
; and

WHEREAS, the governing body of the Issuer is or will be authorized by law to issue general obligation bonds to pay a portion of the costs of the 2022B Improvements; and

WHEREAS, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the 2022B Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issuer; and

WHEREAS, the Issuer proposes to issue its temporary notes to pay costs of the Improvements;
and

WHEREAS, the Issuer has selected the firm of Columbia Capital Management, LLC, Merriam, Kansas (“Financial Advisor”), as financial advisor for (a) one or more series of general obligation bonds of the Issuer to be issued in order to provide funds to pay the costs of the 2022A Improvements and retire the

2019C Notes, and (b) general obligation temporary notes to temporarily finance the 2022B Improvements; and

WHEREAS, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of said general obligation bonds and temporary notes and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said general obligation bonds and temporary notes; and

WHEREAS, the Issuer desires to authorize the Financial Advisor and Gilmore & Bell, P.C., Wichita, Kansas (“Bond Counsel”), in conjunction with the Clerk to proceed with the preparation and distribution of a preliminary official statement and notice of bond sale and to authorize the distribution thereof and all other preliminary action necessary to sell said general obligation bonds and temporary notes.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BELAIRE, KANSAS, AS FOLLOWS:

Section 1. The Issuer is hereby authorized to offer for sale the Issuer’s General Obligation Bonds, Series 2022A (the “Bonds”), and General Obligation Temporary Notes, Series 2022B (the “Notes”) described in the Notice of Sale, which is hereby approved in substantially the form presented to the governing body this date. All proposals for the purchase of the Bonds and Notes (collectively, the “Obligations”) shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Sale, at which meeting the governing body shall review such bids and award of the sale of the Obligations or reject all proposals.

Section 2. The Mayor, Clerk and Assistant City Manager/Finance Director in conjunction with the Financial Advisor and Bond Counsel are hereby authorized to cause to be prepared a Preliminary Official Statement, and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the sale of the Obligations.

Section 3. The Clerk, in conjunction with the Financial Advisor and Bond Counsel, is hereby authorized and directed to give notice of said sale by distributing copies of the Notice of Sale and Preliminary Official Statement to prospective purchasers of the Obligations. Proposals for the purchase of the Obligations shall be submitted upon the terms and conditions set forth in said Notice of Sale, and shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Sale, at which meeting the governing body shall review such bids and shall award the sale of the Obligations or reject all proposals.

Section 4. For the purpose of enabling the purchaser of the Obligations (the “Purchasers”) to comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”), the Mayor and Assistant City Manager/Finance Director or other appropriate officers of the Issuer are hereby authorized: (a) to approve the form of said Preliminary Official Statement and to execute the “Certificate Deeming Preliminary Official Statement Final” in substantially the form attached hereto as **Exhibit A** as approval of the Preliminary Official Statement, such official’s signature thereon being conclusive evidence of such official’s and the Issuer’s approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of the Rule.

Section 5. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Obligations or within sufficient time to accompany any confirmation that requests payment from

any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of the Rule and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The Mayor, Clerk, Assistant City Manager/Finance Director and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to (a) carry out the sale of the Obligations; and (b) provide for notice of redemption of the Refunded Notes.

Section 7. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the governing body on August 2, 2022.

(SEAL)

Mayor

ATTEST:

Clerk

Gilmore & Bell, P.C.
07/26/2022

EXHIBIT A

**CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL**

August __, 2022

To:

Re: City of Bel Aire, Kansas, General Obligation Bonds, Series 2022A and General Obligation Temporary Notes, Series 2022B

The undersigned are the duly acting Mayor and Assistant City Manager/Finance Director of the City of Bel Aire, Kansas (the “Issuer”), and are authorized to deliver this Certificate to the addressee (the “Purchaser”) on behalf of the Issuer. The Issuer has previously caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the “Preliminary Official Statement”) relating to the above-referenced bonds and notes (the “Bonds” and “Notes”).

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the “Rule”), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Bonds and Notes depending on such matters.

CITY OF BEL AIRE, KANSAS

By: _____
Title: Mayor

By: _____
Title: Assistant City Manager/Finance Director

Gilmore & Bell, P.C.
07/26/2022

NOTICE OF SALE

\$3,615,000*
CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2022A

\$8,975,000*
CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION TEMPORARY NOTES
SERIES 2022B

(GENERAL OBLIGATION BONDS PAYABLE FROM UNLIMITED AD VALOREM TAXES)

Bids. Written, facsimile and electronic (as explained below) bids for the purchase of the above-referenced General Obligation Bonds, Series 2022A (the “Bonds”) and General Obligation Temporary Notes, Series 2022B (the “Notes”) of the City of Bel Aire, Kansas (the “Issuer”) herein described will be received on behalf of the undersigned Clerk of the Issuer at the address hereinafter set forth in the case of written and facsimile bids and via www.columbiacapitalauction.com (the “Columbia Capital Auction”) in the case of electronic bids, until 9:30 a.m., Central Time for the Bonds and 10:00 a.m. Central Time for the Notes (the “Submittal Hours”), on

Tuesday, September 6, 2022

(the “Sale Date”). All bids will be publicly evaluated at said time and place and the award of the Bonds and Notes (jointly, the “Obligations”) to the successful bidder or bidders (the “Successful Bidders”) will be acted upon by the governing body at its meeting to be held at 7:00 p.m. on the Sale Date. No oral or auction bids will be considered. Capitalized terms not otherwise defined herein shall have the meanings set forth in the hereinafter referenced Preliminary Official Statement relating to the Obligations.

Terms of the Bonds. The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof (the “Authorized Denomination”). The Bonds will be dated September 27, 2022 (the “Dated Date”), and will become due in principal installments on November 1 in the years as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2024	\$120,000	2034	\$180,000
2025	125,000	2035	190,000
2026	130,000	2036	195,000
2027	135,000	2037	200,000
2028	145,000	2038	210,000
2029	150,000	2039	215,000
2030	160,000	2040	225,000
2031	165,000	2041	235,000
2032	170,000	2042	240,000
2033	175,000	2043	250,000

The Bonds will bear interest from the Dated Date at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 2023 (the “Bond Interest Payment Dates”).

*Preliminary; subject to change

Terms of the Notes. The Notes will consist of fully registered notes in an Authorized Denomination. The Notes will be dated as of the Dated Date, and will become due as follows:

Stated Maturity <u>(December 1)</u> 2025	Principal <u>Amount*</u> \$8,975,000
--	--

The Notes will bear interest from the Dated Date at rates to be determined when the Notes are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 2023 (the “Note Interest Payment Dates,” and, with the Bond Interest Payment Dates, jointly, the “Interest Payment Dates”).

Adjustment of Issue Size. The Issuer reserves the right to increase or decrease the total principal amount of the Obligations, depending on the purchase price and interest rates bid and the offering prices specified by the Successful Bidder. The principal amount of any maturity may be adjusted by the Issuer in order to properly size the Obligation issue based on the discount or premium and interest rates bid on the Obligations. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the Obligations or principal of any maturity as described herein. If there is an increase or decrease in the final aggregate principal amount of the Obligations or the schedule of principal payments as described above, the Issuer will notify the Successful Bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, no later than 2:00 p.m., Central Time, on the Sale Date. The actual purchase price for the Obligations shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Obligations, as adjusted.

Place of Payment. The principal of and interest on the Obligations will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas, (the “Paying Agent” and “Bond Registrar”). The principal of each Bond will be payable at maturity or earlier redemption to the owner thereof whose name is on the registration books (the “Bond Register”) of the Bond Registrar (the “Registered Owner”) upon presentation and surrender at the principal office of the Paying Agent. Interest on each Bond will be payable to the Registered Owner of such Bond as of the fifteenth day (whether or not a business day) of the calendar month next preceding each Interest Payment Date (the “Record Date”) (a) mailed by the Paying Agent to the address of such Registered Owner as shown on the Bond Register or at such other address as is furnished to the Paying Agent in writing by such Registered Owner; or (b) in the case of an interest payment to Cede & Co. or any Owner of \$500,000 or more in aggregate principal amount of Obligations, by wire transfer to such Registered Owner upon written notice given to the Paying Agent by such Registered Owner, not less than 15 days prior to the Record Date for such interest, containing the wire transfer address to which such Registered Owner wishes to have such wire directed.

Bond Registration. The Obligations will be registered pursuant to a plan of registration approved by the Issuer and the Attorney General of the State of Kansas (the “State”). The Issuer will pay for the fees of the Bond Registrar for registration and transfer of the Obligations and will also pay for printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Bond Registrar, will be the responsibility of the Owners.

Book-Entry-Only System. The Depository Trust Company, New York, New York (“DTC”), will act as securities depository for the Obligations. The Obligations will initially be issued exclusively in “book entry” form and shall be initially registered in the name of Cede & Co., as the nominee of DTC and no beneficial owner will receive certificates representing their interests in the Obligations. During the term of the Obligations, so long as the book-entry-only system is continued, the Issuer will make payments of

principal of, premium, if any, and interest on the Obligations to DTC or its nominee as the Registered Owner of the Obligations, DTC will make book-entry-only transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the Obligations to its participants who shall be responsible for transmitting payments to beneficial owners of the Obligations in accordance with agreements between such participants and the beneficial owners. The Issuer will not be responsible for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. In the event that: (a) DTC determines not to continue to act as securities depository for the Obligations, or (b) the Issuer determines that continuation of the book-entry-only form of evidence and transfer of ownership of the Obligations would adversely affect the interests of the beneficial owners of the Obligations, the Issuer will discontinue the book-entry-only form of registration with DTC. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will cause to be authenticated and delivered to the beneficial owners replacement Obligations in the form of fully registered certificates. Reference is made to the Official Statement for further information regarding the book-entry-only system of registration of the Obligations and DTC.

Redemption of Obligations Prior to Maturity.

General. Whenever the Issuer is to select Obligations for the purpose of redemption, it will, in the case of Obligations in denominations greater than the minimum Authorized Denomination, if less than all of the Obligations then outstanding are to be called for redemption, treat each minimum Authorized Denomination of face value of each such fully registered Bond as though it were a separate Bond in the minimum Authorized Denomination.

Optional Redemption. At the option of the Issuer, Bonds maturing on November 1 in the years 2031, and thereafter, will be subject to redemption and payment prior to maturity on November 1, 2030, and thereafter, as a whole or in part (selection of maturities and the amount of Bonds of each maturity to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the redemption price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

At the option of the Issuer, the Notes will be subject to redemption and payment prior to their stated maturity on December 1, 2024, and thereafter, as a whole or in part (selection of the amount of Notes to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the redemption price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

Mandatory Redemption. A bidder may elect to have all or a portion of the Bonds scheduled to mature in consecutive years issued as term bonds (the “Term Bonds”) scheduled to mature in the latest of said consecutive years and subject to mandatory redemption requirements consistent with the schedule of serial maturities set forth above, subject to the following conditions: (a) not less than all Bonds of the same serial maturity shall be converted to Term Bonds with mandatory redemption requirements; and (b) a bidder shall make such an election by completing the applicable paragraph on the Official Bid Form.

Notice and Effect of Call for Redemption. Unless waived by any owner of Obligations to be redeemed, if the Issuer shall call any Obligations for redemption and payment prior to the maturity thereof, the Issuer shall give written notice of its intention to call and pay said Obligations to the Bond Registrar and the Successful Bidder. In addition, the Issuer shall cause the Bond Registrar to give written notice of redemption to the registered owners of said Obligations. Each of said written notices shall be deposited in United States first class mail not less than 30 days prior to the date fixed for redemption. All notices of redemption shall state the date of redemption, the redemption price, the Obligations to be redeemed, the place of surrender of Obligations so called for redemption and a statement of the effect of the redemption.

The Issuer shall also give such additional notice as may be required by Kansas law or regulation of the Securities and Exchange Commission in effect as of the date of such notice. If any Bond be called for redemption and payment as aforesaid, all interest on such Bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Authority, Purpose and Security. The Bonds are being issued pursuant to K.S.A. 10-101 *et seq.*, K.S.A. 12-6a01 *et seq.*, all as amended, and an ordinance and a resolution adopted by the governing body of the Issuer (collectively the “Bond Resolution”) for the purpose of permanently financing the costs of certain improvements (the “2022A Improvements”) and retiring certain temporary notes of the Issuer. The Bonds shall be general obligations of the Issuer payable as to both principal and interest in part from special assessments levied upon the property benefited by the construction of the 2022A Improvements, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal and interest on the Bonds as the same become due.

The Notes are being issued pursuant to K.S.A. 12-6a01 *et seq.* and K.S.A. 10-123, as amended, and the Note Resolution, for the purpose of financing the costs of certain improvements (the “2022B Improvements”). The Notes shall be general obligations of the Issuer payable as to both principal and interest from special assessments levied upon the property benefited by the construction of said 2022B Improvements or from the proceeds of general obligation bonds of the Issuer, and if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal and interest on the Notes as the same become due.

Submission of Bids. Written bids must be made on forms which may be procured from the Clerk or the Financial Advisor and shall be addressed to the undersigned, and marked “Proposal for General Obligation Bonds, Series 2022A,” or “Proposal for General Obligation Temporary Notes, Series 2022B.” Written bids submitted by facsimile should not be preceded by a cover sheet and should be sent only once to **(913) 312-8053**. Confirmation of receipt of facsimile bids may be made by contacting the Financial Advisor at the number listed below. Electronic bids via Columbia Capital Auction must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice of Sale. If provisions of this Notice of Sale conflict with those of Columbia Capital Auction, this Notice of Sale shall control. Bids must be received prior to the Submittal Hour on the Sale Date accompanied by the Deposit (as hereinafter defined), which may be submitted separately. The Issuer shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder.

Columbia Capital Auction. Information about, registration to use and instructions for the electronic bidding services of Columbia Capital Auction may be obtained from Grant Street Group, at (412) 391-5555 x370.

Conditions of Bids--Bonds. Proposals will be received on the Bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Bonds of the same maturity year and the same series; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by **THE BOND BUYER**, in New York, New York, on the Monday next preceding the day on which the Obligations are sold, plus 3%; (c) no supplemental interest payments will be considered; (d) each interest rate specified shall be a multiple of 1/100 or 1/8 of 1%; and (e) no Bond maturing on or after November 1, 2030, may be reoffered at a price of less than 98.0% of the principal amount thereof. No bid for less than 98.0% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered. Each bid shall specify the total interest

cost (expressed in dollars) during the term of the Bonds, on the basis of such bid, the discount, if any, the premium, if any, offered by the bidder, the net interest cost (expressed in dollars) on the basis of such bid, and an estimate of the TIC (as hereinafter defined) on the basis of such bid. Each bidder shall certify to the Issuer the correctness of the information contained on the Official Bid Form, and the Issuer will be entitled to rely on such certification. Each bidder agrees that, if it is awarded the Bonds, it will provide the certification described under the caption “Establishment of Issue Price” in this Notice.

Conditions of Bids--Notes. Proposals will be received on the Notes bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Notes of the same maturity year; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by **THE BOND BUYER**, in New York, New York, on the Monday next preceding the day on which the Notes are sold, plus 3%; (c) no supplemental interest payments will be considered; and (d) each interest rate specified shall be a multiple of 1/100 or 1/8 of 1%. No bid for less than 99.0% of the principal amount of the Notes and accrued interest thereon to the date of delivery will be considered. Each bid shall specify the total interest cost (expressed in dollars) during the term of the Notes, as applicable, on the basis of such bid, the discount, if any, the premium, if any, offered by the bidder, the net interest cost (expressed in dollars) on the basis of such bid, and an estimate of the TIC (as hereinafter defined) on the basis of such bid. Each bidder shall certify to the Issuer the correctness of the information contained on the Official Bid Form, and the Issuer will be entitled to rely on such certification. Each bidder agrees that, if it is awarded the Notes, it will provide the certification described under the caption “Establishment of Issue Price” in this Notice.

Good Faith Deposit. To have its proposal considered for award, the lowest bidder for each issue of the Obligations is required to submit a good faith deposit to the Issuer in the amount of \$72,300 for the Bonds and \$179,500 for the Notes (each, the “Deposit”) no later than the Submittal Hours on the Sale Date. The Deposit may be submitted in any of the following forms:

- (a) Certified or cashier’s check drawn on a bank located in the United States of America; or
- (b) wire transfer in Federal Reserve funds, immediately available for use by the Issuer to the following financial institution for benefit of the Issuer:

Bankers Bank of Kansas (Receiving Bank)
 Chisholm Trail State Bank (Beneficiary Bank)
 ABA (Routing) #: 101104805
 Account Number: 0110292 (CTSB) 600059 City of Bel Aire, Kansas
 FBO/RE: Good Faith Proceeds, Series 2022AB, City of Bel Aire, Kansas
 Contact Name and Phone Number at Bank: Mary Berry, 316-744-1293.

Contemporaneously with the submission of a wire transfer Deposit, such bidder shall send an email to the Financial Advisor at the email address set forth below, including the following information: (a) notification that a wire transfer has been made; (b) the amount of the wire transfer; and (c) return wire transfer instructions in the event such bid is unsuccessful. Good Faith checks submitted by unsuccessful bidders will be returned; wire transfer Deposits submitted by unsuccessful bidders will not be accepted or shall be returned in the same manner received on the next business day following the Sale Date. The Issuer reserves the right to withhold reasonable charges for any fees or expenses incurred in returning a wire transfer Deposit. No interest on the Deposit will be paid by the Issuer. If a bid is accepted, the Deposit, or the proceeds thereof, will be held by the Issuer until the Successful Bidder has complied with all of the terms and conditions of this Notice at which time the amount of said Deposit shall be returned to the Successful Bidder or deducted from the purchase price at the option of the Issuer. If a bid is accepted but the Issuer fails to deliver the Bonds to the Successful Bidder in accordance with the terms and conditions

of this Notice, said Deposit, or the proceeds thereof, will be returned to the Successful Bidder. If a bid is accepted but the bidder defaults in the performance of any of the terms and conditions of this Notice, the proceeds of such Deposit will be retained by the Issuer as and for liquidated damages.

Basis of Award. The award of each series of Obligations will be made on the basis of the lowest true interest cost (“TIC”). TIC will be determined as follows: the TIC is the discount rate (expressed as a per annum percentage rate) which, when used in computing the present value of all payments of principal and interest to be paid on each series of Obligations, from the payment dates to the Dated Date, produces an amount equal to the price bid, including any adjustments for premium or discount, if any. Present value will be computed on the basis of semiannual compounding and a 360-day year of twelve 30-day months. Bidders are requested to provide a calculation of the TIC for each series of Obligations, as applicable, on the Official Bid Form, computed as specified herein on the basis of their respective bids, which shall be considered as informative only and not binding on either the bidder or the Issuer. The Issuer or its Financial Advisor will verify the TIC based on such bids. If there is any discrepancy between the TIC specified and the bid price and interest rates specified, the specified bid price and interest rates shall govern and the TIC specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest TIC are received, the governing body of the Issuer will determine which bid, if any, will be accepted, and its determination is final.

The Issuer reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any disputes arising hereunder shall be governed by the laws of Kansas, and any party submitting a bid agrees to be subject to jurisdiction and venue of the federal and state courts within Kansas with regard to such dispute. Any bid received after the Submittal Hour on the Sale Date will be returned to the bidder.

The Issuer’s acceptance, including electronic acceptance through Columbia Capital Auction, of the Successful Bidder’s proposal for the purchase of Obligations in accordance with this Notice of Sale shall constitute a bond purchase agreement between the Issuer and the Successful Bidder for purposes of the laws of the State and a contract between the Issuer and the Successful Bidder for the purposes of Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) and Rule G-32 of the Municipal Securities Rulemaking Board (“Rule G-32”). The method of acceptance shall be determined solely by the governing body of the Issuer.

Optional Bond Insurance. Applications have been submitted to Assured Guaranty Municipal Corp. (“AGM”) and Build America Mutual Assurance Company (“BAM”) for municipal bond insurance relating to the Bonds. The Bonds may be purchased with or without this insurance at the option of the Successful Bidder. The amount of the municipal bond insurance premium and associated rating agency fees may be obtained from the above-named insurers.

If the Successful Bidder elects to purchase the Bonds with municipal bond insurance, certain rating agencies will assign their ratings to the Bonds with the understanding that upon delivery of the Bonds, a policy insuring the payment when due of the principal of and interest on the Bonds will be issued by such bond insurer. All costs associated with the purchase and issuance of such municipal bond insurance policy and associated ratings and expenses (other than any independent rating requested by the Issuer) shall be paid by the Successful Bidder. Failure of the municipal bond insurer to issue the policy after the award of the Bonds shall not constitute cause for failure or refusal by the Successful Bidder to accept delivery of the Bonds.

Ratings. The outstanding general obligation bonds of the Issuer are rated “[A+]” by S&P Global Ratings, a division of Standard & Poor’s Financial Services LLC, a part of S&P Global, Inc. The

outstanding general obligation notes of the Issuer are rated “[SP-1+]” by S&P Global Ratings, a division of S&P Global Inc.

CUSIP Numbers. CUSIP identification numbers will be assigned and printed on the Obligations, but neither the failure to print such number on any Obligation nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Obligations in accordance with the terms of this Notice. All expenses in relation to the assignment and printing of CUSIP numbers on the Obligations will be paid by the Issuer.

Delivery and Payment. The Issuer will pay for preparation of the Obligations and will deliver the Obligations properly prepared, executed and registered without cost on or about **SEPTEMBER 27, 2022** (the “Closing Date”), to DTC for the account of the Successful Bidder or at such bank or trust company in the contiguous United States of America as may be specified by the Successful Bidder, or elsewhere at the expense of the Successful Bidder. The Successful Bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Obligations and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Obligations affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement. Payment for the Obligations shall be made in federal reserve funds, immediately available for use by the Issuer. The Issuer will deliver one Obligation of each maturity registered in the nominee name of DTC.

Establishment of Issue Price.

(a) In order to provide the Issuer with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder (collectively, the “Code”), the Successful Bidder will be required to assist the Issuer in establishing the “issue price” of the Bonds or Notes, as applicable, and complete, execute and deliver to the Issuer prior to the Closing Date, a written certification in a form acceptable to the Successful Bidder, the Issuer and Bond Counsel (the “Issue Price Certificate”) containing the following for each maturity of the Bonds or Notes, as applicable (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity): (1) the interest rate; (2) the reasonably expected initial offering price to the “public” (as said term is used in Treasury Regulation Section 1.148-1(f) (the “Regulation”)) or the sale price; and (3) pricing wires or equivalent communications supporting such offering or sale price. However, such Issue Price Certificate may indicate that the Successful Bidder has purchased the Bonds or Notes, as applicable, for its own account in a capacity other than as an underwriter or wholesaler, and currently has no intent to reoffer the Bonds or Notes, as applicable, for sale to the public. A specimen of the Issue Price Certificate is attached to this Notice. Any action to be taken or documentation to be received by the Issuer pursuant hereto may be taken or received by the Financial Advisor or Bond Counsel on behalf of the Issuer.

(b) The Issuer intends that the sale of the Bonds or Notes, as applicable, pursuant to this Notice shall constitute a “competitive sale” as defined in the Regulation. In support thereof: (1) the Issuer shall cause this Notice to be disseminated to potential bidders in a manner reasonably designed to reach potential bidders; (2) all bidders shall have an equal opportunity to submit a bid; (3) the Issuer reasonably expects that it will receive bids from at least three bidders that have established industry reputations for underwriting municipal bonds such as the Bonds or Notes, as applicable; and (4) the Issuer anticipates awarding the sale of the Bonds or Notes, as applicable, to the bidder that provides a bid with the lowest TIC in accordance with the section hereof entitled “Basis of Award.”

(c) Any bid submitted pursuant to this Notice shall be considered a firm offer for the purchase of the Bonds or Notes, as applicable, as specified therein. The Successful Bidder shall constitute an “underwriter” as said term is defined in the Regulation. By submitting its bid, the Successful Bidder

confirms that it shall require any agreement among underwriters, a selling group agreement or other agreement to which it is a party relating to the initial sale of the Bonds or Notes, as applicable, to include provisions requiring compliance with provisions of the Code and the Regulation regarding the initial sale of the Bonds or Notes, as applicable.

(d) If all of the requirements of a “competitive sale” are not satisfied, the Issuer shall advise the Successful Bidder of such fact at the time of award of the sale of the Bonds or Notes, as applicable, to the Successful Bidder and the following provisions shall apply to the Bonds or Notes, as applicable. ***In such event, any bid submitted will not be subject to cancellation or withdrawal.*** Within twenty-four (24) hours of the notice of award of the sale of the Bonds or Notes, as applicable, the Successful Bidder shall advise the Issuer if a “substantial amount” (as defined in the Regulation (10%)) of any maturity of the Bonds or Notes, as applicable (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity), has been sold to the public and the price at which such substantial amount was sold. The Issuer will treat such sale price as the “issue price” for such maturity, applied on a maturity-by-maturity basis. The Issuer will ***not*** require the Successful Bidder to comply with that portion of the Regulation commonly described as the “hold-the-offering-price” requirement for the remaining maturities, but the Successful Bidder may elect such option. If the Successful Bidder exercises such option, the Issuer will apply the initial offering price to the public provided in the bid as the issue price for such maturities. If the Successful Bidder does not exercise that option, it shall thereafter promptly provide the Issuer the prices at which a substantial amount of such maturities are sold to the public; provided such determination shall be made and the Issuer notified of such prices not later than three (3) business days prior to the Closing Date. ***Any change in the issue price of any of the Bonds or Notes, as applicable, after the Submittal Hours will not affect the purchase price for the Bonds or Notes, as applicable, submitted in the bid of the Successful Bidder.***

(e) This agreement by the Successful Bidder to provide such information will continue to apply after the Closing Time if: (a) the Issuer requests the information in connection with an audit or inquiry by the Internal Revenue Service (the “IRS”) or the Securities and Exchange Commission (the “SEC”) or (b) the information is required to be retained by the Issuer pursuant to future regulation or similar guidance from the IRS, the SEC or other federal or state regulatory authority.

Preliminary Official Statement and Official Statement. The Issuer has prepared an Official Statement dated August [], 2022, “deemed final” by the Issuer except for the omission of certain information as provided in Securities and Exchange Commission Rule 15c2-12, copies of which may be obtained from the Clerk or from the Financial Advisor. Upon the sale of the Obligations, the Issuer will adopt the final Official Statement and will furnish the Successful Bidders, without cost, within seven business days of the acceptance of the Successful Bidders’ proposals, with a sufficient number of copies thereof, which may be in electronic format, in order to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and Rule G-32 of the Municipal Securities Rulemaking Board (collectively the “Rules”). Additional copies may be ordered by the Successful Bidder at its expense. The Issuer's acceptance, including electronic acceptance through Columbia Capital Auction, of the Successful Bidders’ proposals for the purchase of the Obligations in accordance with this Notice of Sale shall constitute contracts between the Issuer and the Successful Bidders for purposes of the Rules.

Continuing Disclosure. In the Bond Resolution and Note Resolution, the Issuer has covenanted to provide annually certain financial information and operating data and other information necessary to comply with the Rule, and to transmit the same to the Municipal Securities Rulemaking Board. This covenant is for the benefit of and is enforceable by any Registered Owner of the Obligations. For further information, reference is made to the caption “CONTINUING DISCLOSURE” in the Preliminary Official Statement.

Assessed Valuation and Indebtedness. The total assessed valuation of the taxable tangible property within the Issuer for the year 2021 is as follows:

Equalized Assessed Valuation of	
Taxable Tangible Property	
Tangible Valuation of Motor Vehicles	
Equalized Assessed Tangible Valuation	
for Computation of Bonded Debt Limitations	

The total general obligation indebtedness of the Issuer as of the Dated Date, including the Obligations being sold, is [\$59,115,000] but excluding the notes being retired by the Bonds, which will be defeased and no longer be outstanding as of the date of delivery of the Obligations.

Legal Opinion. The Obligations will be sold subject to the approving legal opinion of GILMORE & BELL, P.C., WICHITA, KANSAS, Bond Counsel, which opinion will be furnished and paid for by the Issuer, will be printed on the Obligations, and will be delivered to the Successful Bidders when the Obligations are delivered. Said opinion will also include the opinion of Bond Counsel relating to the interest on the Obligations being excludable from gross income for federal income tax purposes, and the interest on the Obligations being exempt from income taxation by the State of Kansas. Reference is made to the Preliminary Official Statement for further discussion of federal and Kansas income tax matters relating to the interest on the Obligations.

Additional Information. Additional information regarding the Obligations may be obtained from the undersigned or from the Financial Advisor at the addresses set forth below:

DATED: August 2, 2022.

CITY OF BEL AIRE, KANSAS
By Melissa Krehbiel, Clerk

Written Bid and Good Faith Deposit Delivery Address:

7651 E. Central Park Ave
Bel Aire, Kansas 67226
Phone No.: (316) 744-2451
Fax No.: (316) 744-3739
Email: mkrehbiel@belaireks.gov

Financial Advisor - Facsimile Bid Delivery Address:

Columbia Capital Management, LLC
6700 Antioch Rd., Suite 250
Merriam, Kansas 66204
Attn: Jeff White or Adam Pope
Fax No. (913) 312-8053
Email: jwhite@columbiacapital.com
Phone No. (913) 312-8077
Email: apope@columbiacapital.com
Phone No. (913) 312-8064

OFFICIAL BID FORM
PROPOSAL FOR THE PURCHASE OF CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION BONDS, SERIES 2022A

Section XII, Item C.

TO: Melissa Krehbiel, Clerk
 City of Bel Aire, Kansas

September 6, 2022

For \$3,615,000* principal amount of General Obligation Bonds, Series 2022A, of the City of Bel Aire, Kansas, to be dated September 27, 2022, as described in the Notice of Sale dated August 2, 2022, said Bonds to bear interest as follows:

<u>Stated</u> <u>Maturity</u> <u>November 1</u>	<u>Principal</u> <u>Amount*</u>	<u>Annual</u> <u>Rate of</u> <u>Interest</u>	<u>Yield %</u>	<u>Price</u>	<u>Stated</u> <u>Maturity</u> <u>November 1</u>	<u>Principal</u> <u>Amount*</u>	<u>Annual</u> <u>Rate of</u> <u>Interest</u>	<u>Yield %</u>	<u>Price</u>
2024	\$120,000	_____ %	_____ %	_____ %	2034	\$180,000	_____ %	_____ %	_____ %
2025	125,000	_____ %	_____ %	_____ %	2035	190,000	_____ %	_____ %	_____ %
2026	130,000	_____ %	_____ %	_____ %	2036	195,000	_____ %	_____ %	_____ %
2027	135,000	_____ %	_____ %	_____ %	2037	200,000	_____ %	_____ %	_____ %
2028	145,000	_____ %	_____ %	_____ %	2038	210,000	_____ %	_____ %	_____ %
2029	150,000	_____ %	_____ %	_____ %	2039	215,000	_____ %	_____ %	_____ %
2030	160,000	_____ %	_____ %	_____ %	2040	225,000	_____ %	_____ %	_____ %
2031	165,000	_____ %	_____ %	_____ %	2041	235,000	_____ %	_____ %	_____ %
2032	170,000	_____ %	_____ %	_____ %	2042	240,000	_____ %	_____ %	_____ %
2033	175,000	_____ %	_____ %	_____ %	2043	250,000	_____ %	_____ %	_____ %

*Subject to change, see Notice of Sale dated August 2, 2022

the undersigned will pay the purchase price for the Bonds set forth below, plus accrued interest to the date of delivery.

Principal Amount\$3,615,000.00
 Less Discount (not to exceed 2.0%).....
 Plus Premium (if any)
 Total Purchase Price \$

Total interest cost to maturity at the rates specified \$
 Net interest cost (adjusted for Discount and/or Premium) \$
 True Interest Cost %
 Average annual net interest rate %

- ☐ The Bidder elects to purchase Municipal Bond Insurance from: _____. Complete blank.
☐ The Bidder elects to have the following Term Bonds:

Maturity Date	Years	Amount*
November 1, ____	_____ to _____	\$ _____
November 1, ____	_____ to _____	\$ _____

*subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in said Notice of Sale, and if the undersigned is the Successful Bidder, the undersigned will comply with all of the provisions contained in said Notice. A cashier's or certified check or a wire transfer in the amount of \$72,300 payable to the order of the Issuer, submitted in the manner set forth in the Notice accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer by execution below shall constitute a contract between the Issuer and the Successful Bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission and a bond purchase agreement for purposes of the laws of the State of Kansas.

Submitted by: _____

(LIST ACCOUNT MEMBERS ON REVERSE)

By: _____
 Telephone No. (____) _____

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Bel Aire, Kansas, the above proposal is hereby accepted on September 6, 2022.

Attest:

 Clerk

 Mayor

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Sealed bids may be filed with the Clerk, Melissa Krehbiel, 7651 E. Central Park Ave, Bel Aire, Kansas 67226, facsimile bids may be filed with Columbia Capital Management, LLC, Fax No. (913) 312-8053 or electronic bids may be submitted via Columbia Capital Auction, at or prior to 9:30 a.m. Central Time, on September 6, 2022. Any bid received after such time will not be accepted or shall be returned to the bidder.

OFFICIAL BID FORM
PROPOSAL FOR THE PURCHASE OF CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2022B

TO: Melissa Krehbiel, Clerk
City of Bel Aire, Kansas

September 6, 2022

For \$8,975,000* principal amount of General Obligation Temporary Notes, Series 2022B, of City of Bel Aire, Kansas, to be dated September 27, 2022, as described in your Notice of Sale dated August 2, 2022, said Notes to bear interest as follows:

<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>
<u>December 1</u>	<u>Amount</u>	<u>Rate</u>
2025	\$8,975,000	_____ %

the undersigned will pay the purchase price for the Notes set forth below, plus accrued interest to the date of delivery.

Principal Amount	\$8,975,000.00
Less Discount (not to exceed 1.0%)	- _____
Plus Premium (if any)	_____
Total Purchase Price	\$ _____
Total interest cost to maturity at the rate(s) specified	\$ _____
Net interest cost (adjusted for Discount and/or Premium)	\$ _____
Average annual net interest rate	_____ %
True Interest Cost	_____ %

This proposal is subject to all terms and conditions contained in said Notice of Note Sale, and if the undersigned is the Successful Bidder, the undersigned will comply with all of the provisions contained in said Notice. A cashier's or certified check or a wire transfer in the amount of \$179,500 payable to the order of the Issuer, submitted in the manner set forth in the Notice accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer shall constitute a contract between the Issuer and the Successful Bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission.

Submitted by: _____

(LIST ACCOUNT MEMBERS ON REVERSE) By: _____

Telephone No. (_____) _____

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Bel Aire, Kansas, the above proposal is hereby accepted on September 6, 2022.

Attest:

Clerk

Mayor

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Sealed bids may be filed with the Clerk, Melissa Krehbiel, 7651 E. Central Park Ave, Bel Aire, Kansas 67226, facsimile bids may be filed with Columbia Capital Management, LLC, Fax No. (913) 312-8053 or electronic bids may be submitted via Columbia Capital Auction, at or prior to 10:00 a.m., Central Time, on September 6, 2022. Any bid received after such time will not be accepted or shall be returned to the bidder.

SUMMARY NOTICE OF SALE

\$3,615,000*
CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION BONDS
SERIES 2022A

\$8,975,000*
CITY OF BEL AIRE, KANSAS
GENERAL OBLIGATION TEMPORARY NOTES
SERIES 2022B

(GENERAL OBLIGATION BONDS AND GENERAL OBLIGATION NOTES PAYABLE FROM
UNLIMITED AD VALOREM TAXES)

Bids. SUBJECT to the Notice of Sale dated August 2, 2022, written and electronic bids will be received on behalf of the Clerk of the City of Bel Aire, Kansas (the “Issuer”) in the case of written bids, at the address set forth below, and in the case of electronic bids, via www.columbiacapitalauction.com (the “Columbia Capital Auction”), until 9:30 a.m., Central Time for the General Obligation Bonds, Series 2022A (the “Bonds”) and 10:00 a.m. Central Time for the General Obligation Temporary Notes, Series 2022B (the “Notes,”) on **September 6, 2022**, for the purchase of the Bonds and Notes. No bid of less than 98.0% of the principal amount of the Bonds, and no bid of less than 99.0% of the principal amount of the Notes (collectively, the “Obligations”) and accrued interest thereon to the date of delivery will be considered.

Obligation Details. The Obligations will consist of fully registered bonds and notes in the denomination of \$5,000 or any integral multiple thereof. The Obligations will be dated September 27, 2022. The Bonds will become due November 1 in the years as follows:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2024	\$120,000	2034	\$180,000
2025	125,000	2035	190,000
2026	130,000	2036	195,000
2027	135,000	2037	200,000
2028	145,000	2038	210,000
2029	150,000	2039	215,000
2030	160,000	2040	225,000
2031	165,000	2041	235,000
2032	170,000	2042	240,000
2033	175,000	2043	250,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 2023.

The Notes will become due as follows:

<u>Stated Maturity</u> <u>(December 1)</u>	<u>Principal Amount*</u>
2025	\$8,975,000

The Notes will bear interest from the Dated Date at rates to be determined when the Notes are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 2023.

***Adjustment of Issue Size.** The Issuer reserves the right to increase or decrease the total principal amount of the Bonds or the Notes, or both, depending on prepaid special assessments, with respect to the Bonds, and the purchase price and interest rates bid and the offering prices specified by the Successful

Bidder. The principal amount of any maturity may be adjusted by the Issuer in order to properly size the Obligation issue based on the discount or premium and interest rates bid on the Obligations. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the Obligations or principal of any maturity as described herein. If there is an increase or decrease in the final aggregate principal amount of the Obligations or the schedule of principal payments as described above, the Issuer will notify the Successful Bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, no later than 2:00 p.m., Central Time, on the Sale Date. The actual purchase price for the Obligations shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Obligations, as adjusted.

Book-Entry-Only System. The Obligations shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar. Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit. Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$72,300 for the Bonds and \$179,500 for the Notes.

Delivery. The Issuer will pay for preparation of the Obligations and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about **September 27, 2022**, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness. The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2021 is \$ _____. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Obligations being sold, but excluding the notes being retired by the Bonds, which will be defeased and no longer be outstanding as of the date of delivery of the Obligations, is \$59,115,000.

Approval of Bonds. The Obligations will be sold subject to the legal opinion of GILMORE & BELL, P.C., Wichita, Kansas, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Obligations will be furnished and paid for by the Issuer, printed on the Obligations and delivered to the successful bidder as and when the Obligations are delivered.

Additional Information. Additional information regarding the Obligations may be obtained from the undersigned, or from the Financial Advisor at the addresses set forth below:

DATED: August 2, 2022.

Written Bid and Good Faith Deposit Delivery Address:

7651 E. Central Park Ave
Bel Aire, Kansas 67226
Phone No.: (316) 744-2451
Fax No.: (316) 744-3739
Email: mkrehbiel@belaireks.gov

Financial Advisor - Facsimile Bid Delivery Address:

Columbia Capital Management, LLC
6700 Antioch Rd., Suite 250
Merriam, Kansas 66204
Attn: Jeff White or Adam Pope
Fax No. (913) 312-8053
Email: jwhite@columbiacapital.com
Phone No. (913) 312-8077
Email: apope@columbiacapital.com
Phone No. (913) 312-8064

BYLAWS OF BEL AIRE UTILITY ADVISORY COMMITTEE

ARTICLE ONE – NAME

The name of this Committee shall be the **UTILITY ADVISORY COMMITTEE** abbreviated as “UAC”.

ARTICLE TWO – PURPOSE

The Utility Advisory Committee is a volunteer advisory committee whose purpose shall be to make recommendations to the City of Bel Aire Governing Body relating to utility issues including, but not limited to water, sewer, trash, recycling, and storm water, for the betterment of the citizens of Bel Aire.

ARTICLE THREE – GOALS AND OBJECTIVES

1. Goals. The Committee shall study and discuss specific utility issues and opportunities, and present conclusions and advice to the Governing Body focusing on the following objectives:
 - Researching and Reporting Utility Issues
 - Gathering Community Feedback
2. Researching and Reporting Utility Issues. The Committee, when requested by the Governing Body, Mayor or City Manager, shall consider, investigate, make findings, report and recommend upon any special matter of questions coming within the scope of its work.

The Committee shall study research, prepare, and annually update a written Utility Advisory Committee report.

3. Community Feedback. As necessary, the committee will engage the community for feedback regarding recommendations and issues relating to utility issues including, but not limited to water, sewer, trash, recycling, and storm water. The Committee will compile and provide feedback to the Governing Body.

ARTICLE FOUR – MEMBERSHIP

1. Membership requirements. The Utility Advisory Committee shall consist of 5 members. The Committee shall be comprised of residents of the City of Bel Aire, Kansas, and shall be appointed by the Governing Body of Bel Aire.
2. Member Term. Members shall serve staggered terms beginning in 2022 in accordance with the Seat that each member is appointed to below:

Seat 1 shall be appointed in August 2022 and shall serve through August 2024
 Seat 2 shall be appointed in August 2022 and shall serve through August 2024
 Seat 3 shall be appointed in August 2022 and shall serve through August 2025
 Seat 4 shall be appointed in August 2022 and shall serve through August 2025
 Seat 5 shall be appointed in August 2022 and shall serve through August 2023

~~Each member may be reappointed for two additional terms.~~ The Seats shall cycle through three (3) year appointed terms *after* each of the terms listed above are completed. A member shall hold office on the committee until:

- a. The end of his or her term,
 - b. The member resigns from the committee,
 - c. The member moves out of Bel Aire,
 - d. The member fails to attend 3 consecutive meetings, (subject to a vote of the committee),
 - e. The committee is terminated by Governing Body of Bel Aire, or
 - f. The member is dismissed by a majority vote of Governing Body of Bel Aire, with or without cause.
3. Member Vacancy. When there are one or more vacancies on the Committee, the Committee and each member of the Governing Body of Bel Aire may submit recommendations for appointment to the Committee. The Mayor will appoint each member by and with the consent of the City Council. The term of office on the Committee shall be in accordance with that Seat, and such member shall serve the remainder of that Seat's unexpired term.
4. Member Compensation. Members of the Committee shall serve without compensation.

5. Member Expense Reimbursement. Members of the Committee must have prior approval from the City Manager for the reimbursement of travel or incidental expenses incurred in the course of committee work. Requests for reimbursements shall be granted at the discretion of the City Manager.

ARTICLE FIVE – COMMITTEE OFFICERS

1. Officers. The officers of this Committee shall be: Chairperson, Vice-Chair Person and Secretary.
2. Officer Elections. Officer elections shall be held in the 4th quarter of each year when all UAC members are present, if during the first 2 meetings of the 4th quarter UAC is not able to get all members present to attempt elections, the UAC may proceed with new officer elections at the next available meeting when a simple majority of UAC members are present.
3. Officer Nominations. Nomination of officers shall be presented by Committee members during the same meeting elections are held.
4. Term of Office. All officers elected during the 4th quarter of the previous year, shall take office on January 1st of the new year. The term of Chairperson, Vice-Chairperson and Secretary shall be one (1) year. Each officer shall serve until a successor is appointed or elected.
5. Officer Duties. The officers shall perform their respective duties as follows:
 - a. The Chairperson shall preside at all meetings of the Committee and will coordinate with the Bel Aire City Engineer and/or the Public Works Director to create an agenda.
 - b. The Vice-Chairperson shall, in the absence of the Chairperson or at the Chairpersons request, perform the duties of that office.
 - c. Secretary shall record attendance and proceedings of meetings and provide copies of committee approved minutes to the City Clerk. If the Secretary is not available, the Chairperson may appoint any member to record minutes.
6. Officer Vacancies. In the event of a vacancy in any of the above offices, the Committee shall designate a successor to serve until the next regular election.

7. Officer Compensation. Officers of the Committee shall serve without compensation.

ARTICLE SIX – MEETINGS

1. Committee Meetings. A standard meeting time will be established based on the availability of current members, but the Committee shall not meet during City Council Meetings. If a meeting must be rescheduled, the Committee Chairperson will advise the City Clerk of the date and time of the rescheduled meeting. Meetings shall be held at least quarterly.
2. Parliamentary Procedure. All regular and special meetings of the Committee shall be orderly. Committees are encouraged to use “*Bob’s Rules of Order*” as the model standard for City committee meetings.
3. Quorum. A majority of members appointed shall constitute a quorum at any meeting that is called and notice given.
4. Minutes. The Committee Secretary shall provide the City Clerk with minutes of proceedings, including attendance, voting, and action, within 60 days of any meeting.

ARTICLE SEVEN – HONORARY MEMBERS

The UAC may confer honorary titles as voted by the majority of the Committee members in recognition of significant contributions to the Committee’s purpose. One recognition, “Member Emeritus,” shall confer special recognition to a past Committee member at meetings, and an open invitation to address UAC on matters of public concern. Granting an honorary title does not confer voting rights or membership appointment.

ARTICLE EIGHT – AMENDMENTS

Members of the Committee will review these Bylaws at the first meeting of each year. The Committee may amend these Bylaws at any meeting by affirmative vote of a majority present and upon approval of the Governing Body of Bel Aire. Additionally, the Governing Body may amend, change, or call for a review of these Bylaws at any regular meeting.

ARTICLE NINE – DISSOLUTION

The Governing Body of the City of Bel Aire may dissolve this committee upon motion of a Councilmember carried by a two-thirds vote of those Councilmembers present and voting. Committee Members may seek dissolution by submitting a written request for dissolution to City Council, signed by a majority of Committee members.

Chairperson Secretary

ADOPTED BY VOTE OF MEMBERSHIP _____ DATE _____

APPROVED by the Bel Aire City Council on the _____
day of _____, 2022.

ATTEST: _____
Melissa Krehbiel, City Clerk

Jim Benage, Mayor

City of Bel Aire, Kansas

STAFF REPORT

DATE: July 27, 2022

TO: Governing Body, City Manager

FROM: Planning Commission

RE: July 14th Planning Commission Meeting Report



PUD-22-01. Proposed changing the current PUD to allow R-6 multi-family zoning and amended parking requirements. (Arthur Heights PUD)

Planning Commission reviewed the applicants request to change the current PUD to allow R-6 multi-family zoning and amended parking requirements for Arthur Heights. This property is located immediately west of the northwest corner of 45th and Woodlawn. Will Clevenger and Ken Lee of Garver, LLC were present to represent the property owner, Russ Relph, who was also in attendance. Mr. Clevenger spoke of the initial PUD that was for a storage facility on the property in 2019. Initial concerns from the Planning Commission regarding the alteration of the current PUD was the request to have less than 2 parking stalls per unit. The current parking plan allotted 1.65 spots per unit, according to Mr. Clevenger. He also stated that each unit would have a designated parking spot and the fire lane and other parking would be notated. After hearing concerns about the density of the plat, the Planning Commission requested there be at least 2 (possibly 3) parking spots per unit. Mr. Clevenger discussed the possibility of removing of unit(s) to allow for the amount of parking requested by the Planning Commission. Another consideration requested from the Planning Commission was to narrow the outbound drive of the entrance but would require approval from the Sedgwick County Fire Department. Other concerns included screening on southwest corner of the lot and added traffic.

The Planning Commission opened the floor to residence and allotted each resident with 3 minutes to express grievances, concerns, or support. The Planning Commission also allowed Mr. Clevenger to address these concerns after all residents spoke. The first to speak was Gary Jantz of 6200 E 45th St N Lot 8. His issues were concerning the drainage, curb appeal, and general concerns of added necessity of BAPD being called on parking and other problems. The second resident to speak was the neighbor to the immediate west of the property 6218 E 45th St N, Mrs. Carol Russel. Her concerns included drainage on the backside of her property as the proposed PUD is on a flag-shaped lot that would touch two sides of her lot. She also stated her concerns around security of her property and the calls that the BAPD may receive if the development was approved. She is also concerned about trees on her lot being taken down. Dennis McCallum of 4650 N Hillcrest was the next to speak and his concerns were focused solely on the drainage plan of the development. He is also concerned with the style of building proposed, as well as the effect on his property value that the development may cause. The last resident to speak, Randy Kreutzer of 5284 Toben, spoke in favor of the development stating that he is the property manager of many of the applicant's other multi-family dwellings and spoke of the strict background checks and quality of the other housing owned by Mr. Relph.

Following the comments from the various residents, the Planning Commission allowed Mr. Clevenger and Mr. Lee to respond to the concerns. Mr. Lee explained how he had been working with the city

engineer on the drainage plan and that water will remain on the property and drain properly. Mr. Lee explained that the initial plans for the buildings had changed to allow for more efficient drainage and that no trees on any other lots would be taken down. Another explanation on concerns given was that there was only a separation fence on the east side of the property because that lot was apart of the original PUD. Mr. Lee discussed about the step-down zoning of going from commercial to multi-family to single-family zoning.

Following the public hearing, Planning Commission considered the evidence and discussed the following factors based on the Criteria for Review established in section 5.02 (D) of the Zoning Regulation. A significant amount of discussion circled around factors commonly known as the Golden Factors, below are notes of *some* of the Golden Factors discussion:

Character of the neighborhood:

- The Catholic Care Center sits to the west of the intersection of 45th and Woodlawn with residential developments to the west and south of the property.

Zoning uses of nearby property:

- The surrounding zoning is C-1, C-2, R-2, R-4, R-5, and R-6. The intersection of Woodlawn and 45th St N has commercial and residential zoning with the Catholic Care Center to the east of Woodlawn and residential housing to the west.

Suitability of the property for the uses to which it is restricted:

- The Planning Commission has concerns regarding adopting a lesser code requirement for parking. Going from 2 stalls per unit to 1.65 is seen as detrimental to the surrounding areas.

The length of time the subject property has remained vacant as zoned:

- The property has remained vacant under the current PUD and the zoning before.

Having thoroughly reviewed the issue Planning Commission voted (by passing a 5-0 motion) to **table changing the PUD to allow R-6 multi-family zoning with adding 2-3 parking stalls per unit and a 10' tall fence bordering other parts of the property.**

ZON-22-02 Preliminary Plat. Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use is farm ground.

The Planning Commission reviewed the applicant's preliminary plat for Elk Creek 3rd. Kirk Miller stood for questions on behalf of the applicant. There was concern regarding filling in the pond that connects the Courtyards at Elk Creek to the Elk Creek 3rd development. Mr. Miller explained that the pond was improperly built, and that the intention is to fill in only to the property line as the pond encroaches a few feet onto a single lot of the plat.

Staff questioned whether filling in any of the pond could alter the master drainage plan of Bel Aire. Explanation was given that Elk Creek 3rd drainage arrows going east simply go to the utility easement and then drain south into dry ponds. The planning commission decided that all the detention necessary to the development to the north is there and that any fill would just correct that mistake and a drainage study would be an undue burden.

No residents requested to speak regarding the plat.

Having reviewed the information provided, the Planning Commission voted (by passing a 5-0 motion) to **accept the preliminary plat for Elk Creek 3rd without conditions.**

ZON-22-02 Final Plat. Approximately 3.35 acres zoned C-1, to a R-5b Zero Lot line for single-family houses at Elk Creek 3rd. The current use is farm ground.

The Planning Commission, having discussed any issues in the preliminary plat hearing, had little to discuss on the final plat. The Planning Commission voted (by passing a 5-0 motion) to **approve the final plat of Elk Creek 3rd without conditions.**

PUD-22-02 Winkley Addition Commercial. Proposed changing the current PUD to reduce building setbacks, remove certain screening requirements and add a fuel take storage area.

The Planning Commission reviewed the applicant's request to change the building setbacks and screening requirements from the original PUD. Phil Meyer with Baughman Company, P.A. spoke on behalf of the property owner, Matt Hermes (who was also in attendance). The changes that Phil spoke on was reducing the 50' building setback from Oliver to 40' building setback. There was a fence on the original PUD at the NW corner of the building that will be removed due to having a fence that encompasses the property. There will be a building addition on the NE and NW corner of existing building with a need to reduce the building setback from 35' to 30'. There will be two 500 ga. storage tanks; one for gasoline and one for diesel toward the east of the property. There was initially a 10' buffer on the east property line that is being requested to remove. There will be a fence that sits on the property line. There was an old lease agreement with the property owner to the south that is no longer applicable, and the applicant is requesting to move fence to the southern property line (removing the 25' easement). The planning commission discussed the mobile fuel storage tanks and Mr. Meyer stated that the tanks would meet all state and local requirements for the tanks per the PUD. Mr. Hermes has spoken with gas companies to ensure that he is meeting all applicable requirements.

There were no residents in attendance to speak on the issue.

Taking all considerations into account, the Planning Commission voted (by passing a 5-0 motion) to **approve amending the PUD for Winkley Addition Commercial to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area without changes).**

ZON-21-07 Proposed platting of approximately 14.62 acres of R-4 (Chapel Landing 6th).

The Planning Commission reviewed the platting for Chapel Landing 6th. Phil Meyer with Baughman Company, P.A. spoke on behalf of the applicant. The preliminary plat has been approved pending some changes that are present on the Final Plat. One condition was Evergy requesting an easement that is shown on the final plat.

There were no residents to speak on the platting.

No further discussion was necessary, and the Planning Commission voted (by passing a 5-0 motion) to **recommend the Final Plat of Chapel Landing 6th without changes or conditions.**

ZON-22-04 Rezoning: Approximately 73 acres zoned AG to M-1 Industrial. Currently used as farmland. Was recently annexed into the city. (Located directly east of Webb Rd, south of Sunflower Commerce Park

The Planning Commission reviewed the application for a rezoning of AG to M-1 Industrial north of the northeast corner of 45th and Webb. Steve Barrett was present as the possible purchaser of the property. The property is under contract committed to buy with the condition of rezoning. Property was recently annexed by the City. Attorney Kelly explained that changing the zoning to M-1 would require the owner to apply for a PUD when ready to utilize property.

Character of the Neighborhood

- Sunflower Commerce Park is north of the property, continuing an industrial zoning with other commercial property to the west.

Zoning and Uses of Nearby Properties

- The surrounding properties are zoned M-1, C-2, and AG with Sunflower Commerce Park being directly north.

There were no residents to speak on the rezoning.

After consideration of the Golden Factors and the request for the zoning change, the Planning Commission voted (by passing a 5-0 motion) to **recommend the request to rezone certain recently annexed property along Webb Rd, south of Sunflower Commerce Park containing approximately 73 acres from AG to M-1 Industrial use without changes or conditions.**

The Planning Commission, due to unforeseen absences, moved the next meeting from August 11th to August 23rd at 6:30PM in the Council Chambers.

(First Published in the Ark Valley News on August ____, 2022.)

THE CITY OF BEL AIRE, KANSAS

ORDINANCE NO. ____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM AG AGRICULTURAL ZONING (AG) TO MANUFACTURING (M-1) ZONING ON APPROXIMATELY 73 ACRES LOCATED DIRECTLY EAST OF WEBB RD, SOUTH OF SUNFLOWER COMMERCE PARK, WITHIN BEL AIRE, KANSAS.

WHEREAS, the legal description of the tract of land is as follows:

Legal Description

The North Half of the Southwest Quarter of Section 21, Township 26 South, Range 2 East of the 6th P.M. Sedgwick County, Kansas, EXCEPT that part lying North and West of Mopac ROW, and EXCEPT the West 60 feet for road.

WHEREAS, A public hearing was convened on the matter of rezoning the afore described tract on July 14, 2022, by the Planning Commission for the City of Bel Aire, Kansas in conformance with the requirements set forth in Article Five of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, Following the public hearing, the Planning Commission found that the evidence does support this requested zone change based upon the guidelines set forth in Article 5.02 of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, The Planning Commission for the City of Bel Aire, Kansas recommends approval of the application by the property owner to change the tract of land, as described above, FROM AGRICULTURAL ZONING (AG)TO **MANUFACTURING (M-1) ZONING USES** ;

WHEREAS, the Governing Body has considered the factors set forth in Article 5.01 and Article 5.02 of the Zoning Regulations of the City of Bel Aire, Kansas in relation to this tract;

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

SECTION 1. The Governing Body supports the recommendation of the Bel Aire Planning Commission, and approves the rezoning of the tract of land from AGRICULTURAL ZONING (AG)TO MANUFACTURING (M-1) ZONING USES

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

Passed by the City Council this ____ day of August, 2022.

Approved by the Mayor this ____ day of August, 2022.

/s/ JIM BENAGE, MAYOR

ATTEST:

/s/ MELISSA KREHBIEL, CITY CLERK

APPLICATION

This form MUST be completed and filed at City Hall, Bel Aire, Kansas, 7651 E Central Park, Bel Aire, Kansas 67226. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box below for type of application being submitted. A separate application and filing fee is required for each application. A preapplication conference with City Staff is recommended before filing this application.

- ☒ Change Zoning Districts: From: AG to M1
- ☐ Amendments to Change Zoning Districts _____

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Name of owner Marjorie A Wirth

Address 10810 T Ave, Columbus Jct, IA ⁵²¹³⁸⁻⁹³⁹⁶ Telephone 319.212.4006

Agent representing the owner Grant Tidemann

Address 150 N. Market, Wichita, KS 67202 Telephone 316.292.3908

1. The application area is legally described as Lot(s) _____; Block(s) _____, Addition, Bel Aire, Kansas. If appropriate, a metes and bounds description may be attached. See attached.

2. The application area contains 12.674- acres.

3. This property is located at (address) _____ which is generally located at (relation to nearest streets) Webb and 45th, N of NEtc.

4. The particular reason for seeking reclassification:

To change from agriculture to industrial to match the surrounding use.

5. County control number: PIN: 002896160

May 28th 2004

Zoning change Application
Page 4 of 4

6. NAMES OF OWNERS - For land inside the city limits, an ownership list of the names, addresses and zip codes of the owners of record of real property located within 200 feet of the exterior boundary of the area described in the application both within the city limits and extending outside the city limits when necessary.

If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.

If such area is located outside the city limits, the ownership list shall extend for 1,000 feet in the unincorporated area and, if the latter extends into the city limits, then such owners for 200 feet inside the city must also be included on the list.

The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or other directly associated with the property may also be listed if they desire to be advised of the proceedings.

1. Applicant Marjorie A. Wirth Phone 319.212.4000
Address 10810 T Avenue, Columbus, Jet., IA Zip Code 52733-9396

Agent Grant Tidemann Phone 319.292-3908
Address 150 N. Market, Wichita, KS Zip Code 67202

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

The applicant certifies that the foregoing information is true and correct to the best of their knowledge and acknowledges that the Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

DocuSigned by:

Marjorie A. Wirth
FO9316872420432
Applicant's Signature

BY

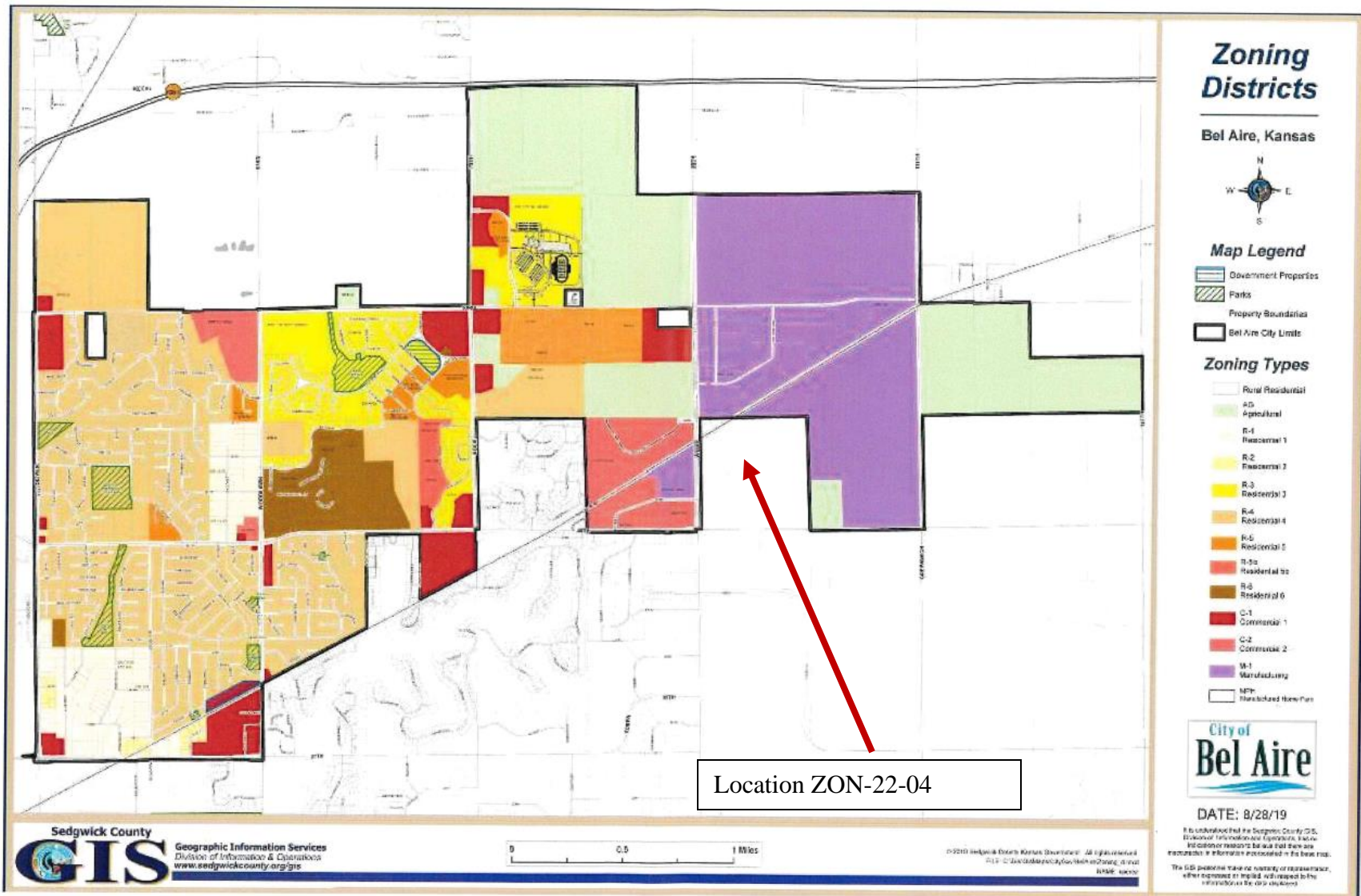
Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

May 28th 2004

3. LEGAL DESCRIPTION

The North Half of the Southwest Quarter of Section 21, Township 26 South, Range 2 East of the 6th P.M. Sedgwick County, Kansas, EXCEPT that part lying North and West of Mopac ROW, and EXCEPT the West 60 feet for road.



ZON-22-04

49th St

N Webb Road

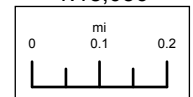
ZON-22-04 AG to M1-Industrial

Sedgwick County, Kansas



ZON-22-04 AG to M1-Industrial

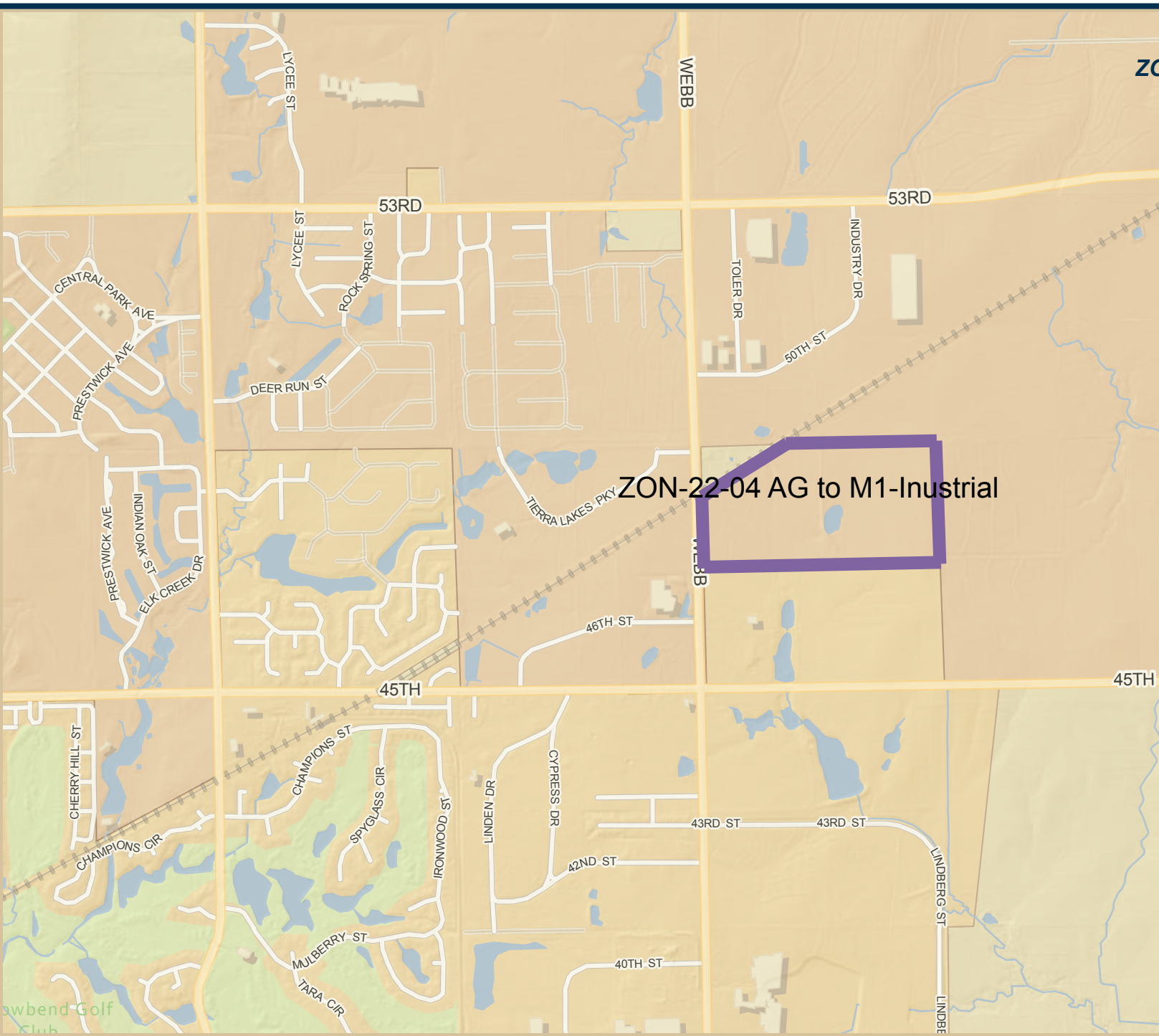
1:18,056



Date: 7/28/2022

It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.

The GIS personnel make no warranty or representation, either expressed or implied, with respect to the accuracy or the data displayed.



WINKLEY ADDITION COMMERCIAL PLANNED UNIT DEVELOPMENT

GENERAL PROVISIONS:

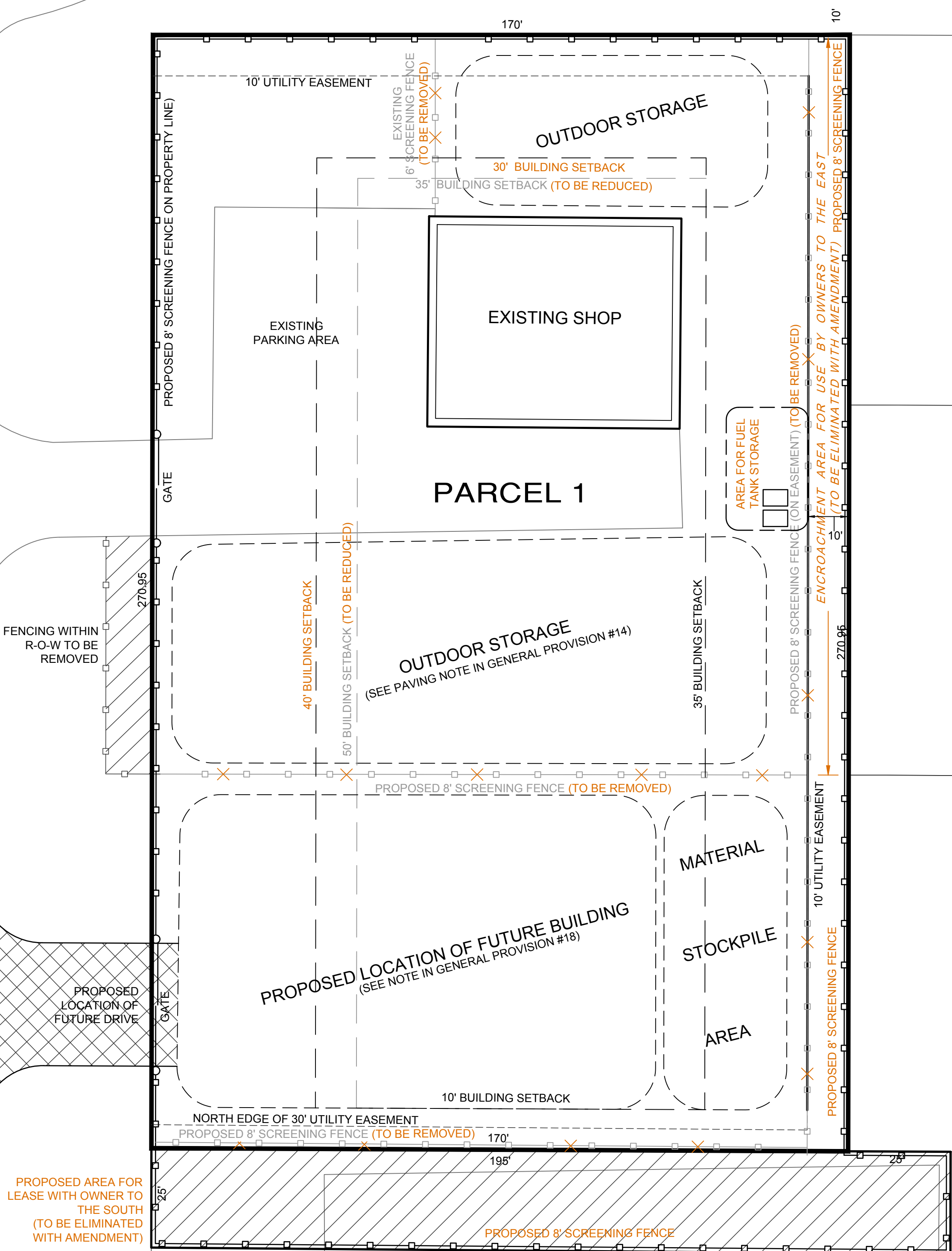
1. Total Land Area: 51,052 sq.ft.± or 1.17 acres
Total Gross Floor Area: 10,210 sq.ft.
Total Floor Area Ratio: 20 percent
2. This Agreement establishes the terms and conditions for a Planned Unit Development zoning district. The requirements contained in this PUD are in lieu of any requirements contained in the zoning and subdivision regulations of the City and compliance with the terms and conditions of this PUD Agreement shall be deemed in compliance with the zoning and subdivision regulations of the City.
3. Installation of all improvements shall be in compliance with the requirements of all applicable federal, state and local legislation, including the Americans with Disabilities Act. All infrastructure improvements shall be detailed on a Planned Unit Development Site Plan, which delineates building locations, at the time each individual lot is developed. Said Planned Unit Development Site Plan (herein the "PUD Site Plan") shall be approved by Developer and by the City Engineer, attached hereto and made a part hereof, at the time each individual lot is developed.
4. All easements recorded on the face of the final plot of Winkley Addition to Bel Aire, Kansas shall remain in effect pursuant to this Planned Unit Development Agreement. The surface of such easements may be used by the owner(s) for driveways, parking and landscaping, as delineated on the PUD Site Plan at the time each individual lot is developed.
5. Within the undeveloped portion of the site, the Developer shall prepare a Landscape and Storm Drainage Plan, which shall address the effect of changes to the natural environment and increased drainage. Said Landscape and Storm Drainage Plan shall be approved by the City Engineer, attached hereto, and made a part hereof at the time each individual lot is developed. After approval by the Developer and the City Engineer of said Landscape and Storm Drainage Plan, the Developer shall install, or cause to be installed, the improvements pursuant to the said Plan.
6. Parcel 1 shall be limited to the following uses: Single-family, Duplex, Community Assembly, Office (General), Construction Sales and Service (General), and Outdoor storage as limited herein.
7. Signage shall be based on the standards of the "C-2" Commercial zoning district, except an individual sign may be permitted up to 150 square feet in area. No LED, billboard, or off-site signs shall be permitted.
8. Outdoor lighting sources shall employ cutoff luminaires to minimize light trespass and glare and shall be mounted at a height not exceeding one-half the distance from the neighboring lot, unless evidence is provided to the satisfaction of the Zoning Administrator that the light source will be aimed or shielded such that the light source is not visible from the neighboring lot.
9. Screening:
 - A. Screening shall be provided by an eight (8) foot high wood fence with galvanized metal posts where shown on the plan.
 - B. Solid screening shall be provided for all outdoor work and storage areas, parking lots and loading docks within 200 feet of residential uses in order to screen these areas from residential zoning districts.
 - C. The 10-foot alley along the north line of Parcel 1, the 10-foot easement along the east line of Parcel 1, and the south-25 feet of Parcel 1 shall all be considered a buffers to the development.
10. Landscaping requirements shall be per the Bel Aire Zoning Code for commercial uses. Existing landscaping may be permitted within Oliver right-of-way, and shall be considered as meeting this requirement. Screening around the perimeter of the PUD shall not be required.
11. The design layout shown on the plan illustrates only one development concept. Modifications to the location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan.
12. All applicable permits, licenses, inspections or change in use shall be obtained prior to occupancy.
13. The Developer shall enclose or cause to be enclosed, all trash and recycling containers and similar equipment as set forth in the PUD Site Plan as approved by the City Engineer at the time each individual lot is developed.
14. Outside storage of all equipment, products or material shall be permitted on said property within those areas indicated on the plan. The center outdoor storage area, as indicated on the plan, may be paved with crushed asphalt millings, or similar material which reduces dust.
15. Parking shall be provided as required by City Code for all new construction. The existing business shall be required a minimum of 5 parking spaces.
16. Fuel tank storage area shall meet all local and state requirements for placement, setback, spacing, containment, and site circulation.
17. The Developer shall file with the Sedgwick County Register of Deeds an executed copy of this Agreement.
18. Upon full execution hereof and upon attachment of the PUD Site Plan, the Landscape and Drainage Plan and the Signage Plan, all approved as provided herein at the time each individual lot is developed, the terms and conditions of this Agreement, as set forth herein, shall be binding upon the City and the Developer, their successors, representatives, trustees, and assigns.
19. A detailed site shall be submitted including parking, building elevations, landscaping, and utility locations, etc. signage criteria, and streets improvements, at the time the undeveloped portion of site is developed. The location of any additional building is indicated on the plan. Building additions to existing structures or parking improvements may be reviewed and approved administratively by the City.

LEGAL DESCRIPTION:

Lot 1, Block 1, Winkley Addition to Bel Aire, Sedgwick County.

OLIVER STREET

OLIVER DRIVE



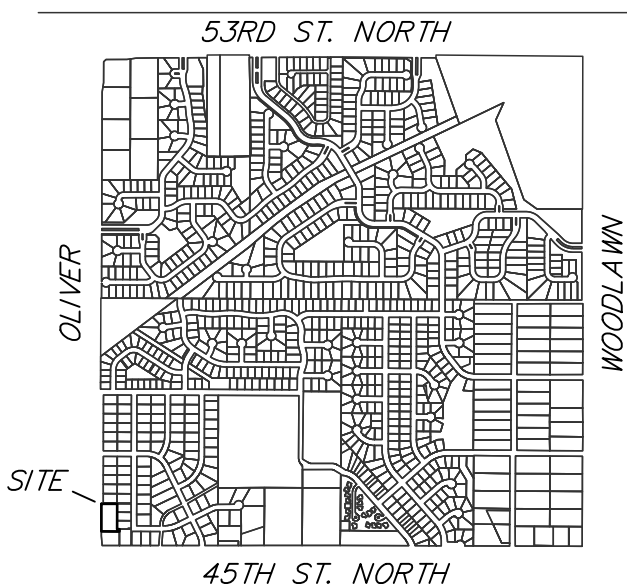
PARCEL 1

- A. Net Area: 51,052 sq. ft. ± or 1.17 acres ±
- B. Maximum Building Coverage: 10,210 sq.ft. or 20 percent
- C. Maximum Gross Floor Area: 10,210 sq.ft.
- D. Floor Area Ratio: 20 percent
- E. Maximum building height: 35 feet, except for any other structures exempt by the UZC.
- F. Setbacks: As shown on plan.
- G. Access Points: As shown on plan.
- H. Permitted Uses: See General Provision #6.

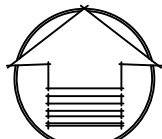
REVISIONS

Planned Unit Development Filed: December 18, 2017
Revised per staff comments: January 10, 2018
Approved by Planning Commission: January 11, 2018
Approved by City Council: February 6, 2018
Amendment #1: June 14, 2022
Revised per staff comments: July 5, 2022

VICINITY MAP



WINKLEY ADDITION COMMERCIAL PLANNED UNIT DEVELOPMENT



SCALE: 1" = 20'

BAUGHMAN



City of Bel Aire, Kansas
7651 E. Central Park Ave
Bel Aire, Kansas 67226



ZONING REVIEW

Address of proposed project: Revised PUD site plan 4720 N Oliver

This report is to document that on 6.29.22 the Zoning Administrator from the City of Bel Aire evaluated the above property plan for compliance of zoning and building requirements:

- | | |
|--|--|
| <input type="checkbox"/> SETBACKS | <input type="checkbox"/> ELEVATIONS |
| <input type="checkbox"/> EFFECTIVE CODE COMPLIANCE | <input checked="" type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input type="checkbox"/> EASEMENTS |
| <input type="checkbox"/> LANDSCAPE | <input type="checkbox"/> SCREENING |
| <input type="checkbox"/> STORM DRAINAGE | <input checked="" type="checkbox"/> NEIGHBORHOOD IMPACT |
| <input type="checkbox"/> ADA ACCESSIBLE | <input type="checkbox"/> UTILITIES TO BUILDING |

The review of the above property plan has been:

- ☒ APPROVED, as noted
- ☐ DELAYED, as noted
- ☐ DENIED, as noted

DATE 6/29/22

Keith Price
REVIEWED BY

Comments: Revisions to the PUD were reviewed as each change was made to the point a final draft was provide 6/15/22. Within the site revision is a vacation request for the building setback from 50' to 40' along Oliver or to allow to build over the line as close as 40'.

- Discussion with the property owner today regarding two leased fuel storage tanks with electrical hook ups. This will need to be added to the site plan with proper setback from property lines and structures. Construction of containment, and vehicle impact measures, site circulation, are items that could require more space.
- SCFD has been asked to review the site for fuel storage as described long term storage of two 500 gallon above ground storage tanks on skids.
- The city engineer will Baughman direct with any item not covered with this review.
- <http://www.belaireks.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> contains the Zoning Code. The landscape requirements, lot size, etc.
- <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

16. Chapter 5 of the Zoning Code has a more detail regarding Applications and procedures. A final PUD must contain:

- a. Deeds of Dedication
- b. Copy of all covenants part of the preliminary PUD
- c. Evidence of ownership, financial and administrative ability as required by the terms of the preliminary PUD
- d. Evidence of satisfaction of any stipulation of the preliminary PUD
- e. Evidence of platting consistence with the Zoning Ordinance 418 and the PUD

APPLICATION

This form MUST be completed and filed at City Hall, Bel Aire, Kansas, 6751 E Central Park, Bel Aire, Kansas 67226. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box below for type of application being submitted. A separate application and filing fee is required for each application. A preapplication conference with City Staff is recommended before filing this application.

-
- ☐ Change Zoning Districts: From: _____ to _____
- ☒ Amendments to ~~Change Zoning Districts~~ ^{PUD} Winkley Addition Commercial Community PUD
- ☐ Preliminary PUD _____ ☐ Preliminary PUD with plat/ zoning
- ☐ Final PUD _____ ☐ Final PUD with plat/ zoning

City of Bel Aire Planning Commission

☐ Approved ☐ Rejected

Comments to City Council

City of Bel Aire Council

☐ Approved ☐ Rejected

Name of owner Premier Landscape Management, LLC n/k/a Elite Landscape Solutions, LLC (Matt Hermes)

Address 4720 N. Oliver St, Bel Aire, KS 67220 Telephone (316) 644-5302

Agent representing the owner Baughman Company, P.A. (Philip J. Meyer, L.A.)

Address 315 Ellis, Wichita, KS 67211 Telephone (316) 262-7271

1. The application area is legally described as Lot(s) 1; Block(s) _____,
Winkley Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains 1.17 +/- acres.

3. This property is located at (address) 4720 N. Oliver which is generally
located at (relation to nearest streets) east of Oliver approx. 400 feet north of 45th Street.

4. County control
number: Pin Nos. 273140 and 30017177

5. NAMES OF OWNERS - For land inside the city limits, an ownership list of the
names, addresses and zip codes of the owners of record of real property located within

200 feet of the exterior boundary of the area described in the application both within the city limits and extending outside the city limits when necessary.

If such area is located adjacent to but within the city limits, the ownership list, in addition to the 200 feet inside the city limits, shall provide similar information extending to 1,000 feet into the unincorporated area.

The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or other directly associated with the property may also be listed if they desire to be advised of the proceedings.

1. Applicant	Elite Landscape Solutions, LLC (Matt Hermes)	Phone	316-644-5302
	Address 4720 N. Oliver St, Wichita, KS	Zip Code	67220
	Agent Baughman Company, P.A. (Philip J. Meyer, L.A.)	Phone	316-262-7271
	Address 315 Ellis, Wichita, KS	Zip Code	67211
2. Applicant	n/a	Phone	
	Address	Zip Code	
	Agent	Phone	
	Address	Zip Code	

The applicant certifies that the foregoing information is true and correct to the best of their knowledge and acknowledges that the Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

X			
	Applicant's Signature	BY	Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

(First published in The Ark Valley News on February 8, 2018.)

ORDINANCE NO: 631

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM “C-1” TO “C-2” WITH A PUD OVERLAY ON CERTAIN PROPERTY LOCATED WITHIN THE CORPORATE CITY LIMITS OF BEL AIRE, SEDGWICK COUNTY, KANSAS.

WHEREAS, the legal description of the tract of land is as follows:

Legal Description

Lot 1, Block 1, Winkley Addition, Bel Aire, Sedgwick County, Kansas, all as set forth on a map attached hereto, and identified as Appendix A.

WHEREAS, a public hearing was convened on the matter of rezoning the described tract on January 11, 2018, by the Planning Commission for the City of Bel Aire, Kansas in conformance with the requirements set forth in Article Five of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, following the public hearing, the Planning Commission found that the evidence supported recommending approval of this requested zone change based upon the guidelines set forth in Article 5.01 of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, the Planning Commission for the City of Bel Aire, Kansas recommends approval of the application by the property owner to change the above described tract of land, as described above, from C-1 to C-2 WITH A PUD OVERLAY, in conformance with the terms of the plat, and with specific conditions as follows:

1. Total Land Area: 51,052 sq.ft.±
or 1.17 acres
 Total Gross Floor Area: 9,000 sq.ft.
 Total Floor Area Ratio: 18 percent
2. This Agreement establishes the terms and conditions for a Planned Unit Development zoning district. The requirements contained in this PUD are in lieu of any requirements contained in the zoning and subdivision regulations of the City and compliance with the terms and conditions of this PUD Agreement shall be deemed in compliance with the zoning and subdivision regulations of the City.
3. Installation of all improvements shall be in compliance with the requirements of all applicable federal, state and local legislation, including the Americans with Disabilities Act. All infrastructure improvements shall be detailed on a Planned Unit Development Site Plan, which delineates building locations, at the time each individual lot is developed. Said Planned Unit Development Site Plan (herein the "PUD Site Plan") shall be approved by Developer and by the City Engineer, attached hereto and made a part hereof, at the time each individual lot is developed.

4. All easements recorded on the face of the final plat of Winkley Addition to Bel Aire, Kansas shall remain in effect pursuant to this Planned Unit Development Agreement. The surface of such easements may be used by the owner(s) for driveways, parking and landscaping, as delineated on the PUD Site Plan at the time each individual lot is developed.
5. Within the undeveloped portion of the site, the Developer shall prepare a Landscape and Storm Drainage Plan, which shall address the effect of changes to the natural environment and increased drainage. Said Landscape and Storm Drainage Plan shall be approved by the City Engineer, attached hereto, and made a part hereof at the time each individual lot is developed. After approval by the Developer and the City Engineer of said Landscape and Storm Drainage Plan, the Developer shall install, or cause to be installed, the improvements pursuant to the said Plan.
6. Parcel 1 shall be limited to the following uses: Single-family, Duplex, Community Assembly, Office (General), Construction Sales and Service (General), and Outdoor storage as limited herein.
7. Signage shall be based on the standards of the "C-2" Commercial zoning district, except an individual sign may be permitted up to 150 square feet in area. No LED, billboard, or off-site signs shall be permitted.
8. Outdoor lighting sources shall employ cutoff luminaries to minimize light trespass and glare, and shall be mounted at a height not exceeding one-half the distance from the neighboring lot, unless evidence is provided to the satisfaction of the Zoning Administrator that the light source will be aimed or shielded such that the light source is not visible from the neighboring lot.
9. Screening:
 - A. Screening shall be provided by an eight (8) foot high wood fence with galvanized metal posts where shown on the plan.
 - B. Solid screening shall be provided for all outdoor work and storage areas, parking lots and loading docks within 200 feet of residential uses in order to screen these areas from residential zoning districts.
 - C. The 10-foot alley along the north line of Parcel 1, the 10-foot easement along the east line of Parcel 1, and the south 25 feet of Parcel 1 shall all be considered buffers to the development.
10. Landscaping requirements shall be per the Bel Aire Zoning Code for commercial uses. Existing landscaping may be permitted within Oliver right-of-way, and shall be considered as meeting this requirement. Screening around the perimeter of the PUD shall not be required.
11. The design layout shown on the plan illustrates only one development concept. Modifications to the location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan.

12. All applicable permits, licenses, inspections or change in use shall be obtained prior to occupancy.
13. The Developer shall enclose or cause to be enclosed, all trash and recycling containers and similar equipment as set forth in the PUD Site Plan as approved by the City Engineer at the time each individual lot is developed.
14. Outside storage of all equipment, products or material shall be permitted on said property within those areas indicated on the plan. The center outdoor storage area, as indicated on the plan, may be paved with crushed asphalt millings, or similar material which reduces dust.
15. Parking shall be provided as required by City Code for all new construction. The existing business shall be required a minimum of 5 parking spaces.
16. The Developer shall file with the Sedgwick County Register of Deeds an executed copy of this Agreement.
17. Upon full execution hereof and upon attachment of the PUD Site Plan, the Landscape and Drainage Plan and the Signage Plan, all approved as provided herein at the time each individual lot is developed, the terms and conditions of this Agreement, as set forth herein, shall be binding upon the City and the Developer, their successors, representatives, trustees, and assigns.
18. A detailed site shall be submitted including parking, building elevations, landscaping, and utility locations, etc. signage criteria, and streets improvements, at the time the undeveloped portion of site is developed. The location of any additional building is indicated on the plan.

WHEREAS, the Governing Body has considered the factors set forth in Article 5 of the Zoning Regulations of the City of Bel Aire, Kansas.

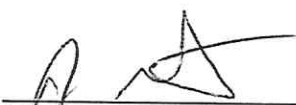
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS:

SECTION 1. The Governing Body adopts the recommendation of the Bel Aire Planning Commission and approves the Planning Commission's recommendation for rezoning of the tract of land described above from C-1 to C-2 WITH A PUD OVERLAY, in conformance with and all specific conditions as set forth within the preamble above.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force from and after publication of its summary in the Ark Valley News, an official city newspaper.

Passed by the Governing Body this 6th day of February, 2018.


MAYOR David Austin

ATTEST:


CITY CLERK, Stacey Cook

SEAL

th Price

Wednesday, June 15, 2022 6:58 PM

Keith Price; Anne Stephens

Notice of Zoning Hearing/45th and Oliver

Subject:

Good evening!

I received a notice of zoning hearing for the business next door (Elite Landscape) today and I am writing to show my support for changing the site plan to accommodate the proposed improvements to the property.

Mr. Hermes has improved on the lot since we moved in about two years ago. When we bought our house, the sellers remarked about what a great neighbor he was and they were right. He is conscientious, respectful, and helpful. The property is clean and well-maintained. The noise level is very low and not intrusive.

It is very exciting to see the business doing so well and growing!

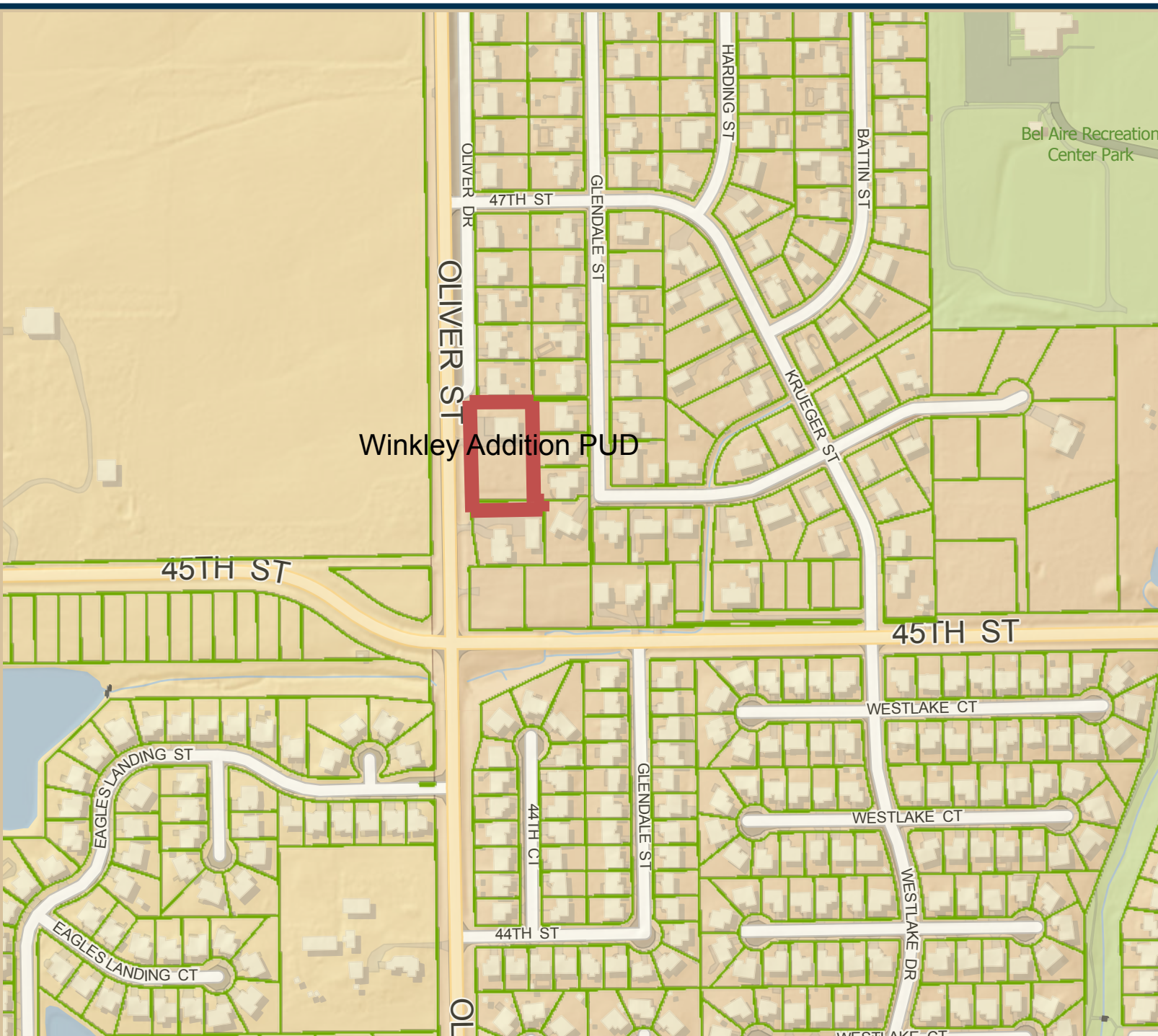
I am not sure how these hearings work or your involvement, but I urge you to vote in favor of these changes. Thank you for your time!

Respectfully,

Cathy Peters

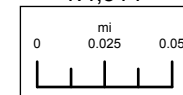
Winkley Addition PUD

Sedgwick County, Kansas



Winkley Addition PUD

1:4,514



Date: 7/28/2022

It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.

The GIS personnel make no warranty or representation, either expressed or implied, with respect to the accuracy or the data displayed.



Geographic Information Services

Sedgwick County...
working for you

Elk Creek 3rd

Bel Aire, Sedgwick County, Kansas

Part of the SE $\frac{1}{4}$, Section 19, Township 26 South, Range 2 East

State of Kansas)
County of Sedgwick) SS

I, Keith A. Severns, a licensed land surveyor of the State of Kansas, do hereby certify that the following described tract of land was surveyed on this day the 17th of November, 2021 and the accompanying one-step final plat prepared and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief:

LEGAL DESCRIPTION

The tract of land in Southeast Quarter of Section 19, Township 26 South, Range 2 East of the 6th P.M. Bel Aire, Sedgwick County, Kansas described as:

Lot 1, Block 11 of Elk Creek Addition.

All easements and rights-of-way within said tract are hereby vacated by virtue of KSA 12-512b as amended.

Keith A. Severns, PS #1355

State of Kansas)
County of Sedgwick) SS

Know all men by these presents, that we, the undersigned, have caused the land described in the surveyor's certificate to be platted into Lots, Blocks, Reserves and Streets, to be known as Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas. Any street dedications shown are dedicated to and for the use of the public. The utility easements are hereby granted to the public for the construction and maintenance of all public utilities. The drainage easements are hereby granted to the public as indicated for drainage purposes. No signs, light poles, private drainage systems, masonry trash enclosures or other structures shall be located within public utility easements unless permitted by the Public Works Department of the appropriate governing body. The access controls are hereby granted to the appropriate governing body as shown hereon. Reserve "A" and "B" is hereby platted for landscaping, entry monuments, drainage, parking, and utilities confined to easements. Reserve "C" is hereby platted for landscaping, recreational uses, drainage and utilities confined to easements. Reserve "A", "B", and "C" shall be owned and maintained by the Elk Creek 3rd Home Owner's Association. And further that the land contained herein is held and shall be conveyed subject to any applicable restrictions, reservations and covenants now on file or hereafter filed in the Office of the Register of Deeds of Sedgwick County, Kansas.

By: Barakeh Property LLC Date _____

State of Kansas)
County of Sedgwick) SS

This instrument was acknowledged before me on this _____ day of _____, 2022, by Barakeh Property LLC.

Notary Public

My Commission Expires: _____

State of Kansas)
County of Sedgwick)

The title evidence of the land included in this plat has been reviewed by me and this plat is approved pursuant to the provisions of K.S.A. 12-401.

Jacqueline Kelly, City Attorney Date _____

State of Kansas)
County of Sedgwick) SS

This plat of the Elk Creek 3rd, Bel Aire, Sedgwick County, Kansas, has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas, and is hereby transmitted to the City Council of the City of Bel Aire, Kansas, with the recommendation that such plat be approved as proposed.

Dated this _____ day of _____, 2022.
At the Direction of the Bel Aire Planning Commission:

James Schmidt, Chair

Anne Stephens, Secretary

State of Kansas)
County of Segwick) SS

The dedications shown on this plat are hereby accepted by the Governing Body of the City of Bel, Aire, Kansas on _____ day of _____, 2022.

At the Direction of the Bel Aire City Council.

Jim Benage, Mayor

Melissa Krehbiel, City Clerk

Entered on transfer record this _____ day of _____, 2022.

Kelly B. Arnold, County Clerk

State of Kansas)
County of Sedgwick) SS

This is to certify that this plat has been filed for record in the Office of the Register of Deeds this _____ day of _____, 2022, at _____ o'clock ____M; and is duly recorded.

Tonya Buckingham, Register of Deeds

Kenly Zehring, Chief Deputy

COUNTY SURVEYOR'S CERTIFICATE

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2022.

Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

CITY OF BEL AIRE, KANSAS

File No. S/D _____

APPLICATION FOR FINAL PLAT APPROVAL

This is an application for processing a final plat in accordance with the City Subdivision Regulations. The application must be completed and filed with the Subdivision Administrator at least 15 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Elk Creek 3rd Addition
 General Location _____
 _____ Inside City _____ To Be Annexed _____
 Name of Landowner Barakeh Property LLC
 Address 1200 E. MacArthur Wichita, KS, 67216 Phone 316-519-3353
 Name of Subdivider/Agent K.E. Miller Engineering P.A.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242
 Name of (Engineer) (Land Planner) Kirk E. Miller, P.E.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242
 Name of Registered Land Surveyor Keith A. Seyerns, L.S.
 Address 117 E. Lewis St. Wichita, KS, 67202 Phone 316-264-0242

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area X
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract _____
 Final Replat of original platted area _____
2. Gross acreage of plat 3.351 Acres
3. Total number of lots 10
4. Proposed land use:
 - a. Residential-Single-Family X Duplex _____ Multiple-Family _____
 Manufactured/Mobile Home _____
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____

- 5. Predominant minimum lot width 50 Feet
- 6. Predominant minimum lot area 5644.5 Square Feet
- 7. Existing zoning C-1 District
- 8. Proposed zoning R-5b District
- 9. Source of water supply City of Bel Aire
- 10. Method of sewage disposal City of Bel Aire
- 11. Total lineal feet of new street 722.08 Feet

	Street Name	R/W Width	Lineal Feet
a.	<u>Old Mill</u>	<u>25</u> Ft.	<u>86.78</u> Ft.
b.	<u>Prestwick Ave</u>	<u>25</u> Ft.	<u>406.30</u> Ft.
c.	<u>Prestwick Court</u>	<u>25</u> Ft.	<u>230.00</u> Ft.
d.		Ft.	Ft.
e.		Ft.	Ft.

- 12. Proposed type of street surfacing Asphalt
- 13. Curb and gutter proposed: Yes X No
- 14. Sidewalks proposed: Yes No X If yes, where?
- 15. Is any portion of the proposed subdivision located in an identified flood plain area? Yes No X

The landowner herein agrees to comply with the City Subdivision Regulations and all other related ordinances, policies and standards of the City and statutes of the State of Kansas. It is further agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds shall be paid by the owner. The undersigned further states that he/she is the owner of the land proposed for platting and, when requested, will permit officials of the City to inspect the land as may be necessary for proper plat review.

Landowner

Date

[Signature]
Agent (If any)

3/10/12
Date

OFFICE USE ONLY

Prints of the Final Plat received _____ (Number)

Final drainage plan, if required, received _____

Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:

a. Vicinity map received _____

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 3.11.22,
19____. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$_____ paid to the City Clerk.

total \$1,000



Subdivision Administrator



City of Bel Aire, Kansas
7651 E. Central Park Ave
Bel Aire, Kansas 67226



PLAT REVIEW

Address of proposed project: Elk Creek 3rd preliminary and final plat revisions

This report is to document that on 5.24.22 the Zoning Administrator from the City of Bel Aire evaluated the above property plan for compliance of zoning and building requirements:

- | | |
|--|--|
| <input type="checkbox"/> SETBACKS | <input type="checkbox"/> ELEVATIONS |
| <input type="checkbox"/> EFFECTIVE CODE COMPLIANCE | <input checked="" type="checkbox"/> REQUIRED PLAN SUBMITTALS |
| <input type="checkbox"/> EROSION CONTROL | <input type="checkbox"/> EASEMENTS |
| <input type="checkbox"/> LANDSCAPE | <input type="checkbox"/> SCREENING |
| <input type="checkbox"/> STORM DRAINAGE | <input checked="" type="checkbox"/> NEIGHBORHOOD IMPACT |
| <input type="checkbox"/> ADA ACCESSIBLE | <input type="checkbox"/> UTILITIES TO BUILDING |

The review of the above property plan has been:

- ☒ APPROVED, as noted
- ☐ DELAYED, as noted
- ☐ DENIED, as noted

DATE 5/23/22

 Keith Price
REVIEWED BY

Comments: The rezoning was approved by city council by ordinance 687. The case number will stay the same for the revisions. City engineer's review will be separate, reach out to Anne Stephens. The planning commission meeting was moved to June 16, 2022 for this part of the process at the normal meeting time and place. The cut off for new revisions is June 8, 2022 in the morning.

Preliminary plat-

- Everyg has reviewed the revision and made correction.
- SCFD has approved the revised plat based on an email, dated 5/10/22, from the fire Chief Robert Timmons, and will need the proposed fire hydrant locations submitted when that information is available for their approval.
- The north edge of the development appears to be over the edge of the pond, part of the courtyards at elk creek. The Elk Creek development of the original plat with the developer's agreement and the release of declaration for a portion of the Elk Creek may have created issue after the bankruptcy of the developer. The city staff has been directed to reach out to the HOA's for comments. Have you reached out to the HOA's of record for the abutting developments?

Final plat-

- Covenants should be provided to city council for approval. Developer's agreement should be approved with the final plat. Lot closures statement. Petitions are to be filed with the final plat.
- The plat should indicate the rear yard setback and side yard setback information. The president set is to allow one side yard to be 6' at the foundation and the opposing side to be a zero-lot line. The rear yard to be 25' building setback, (easements will take care of most of that issue). All city approved accessory structures will be at 6' setback. Lot coverage should be listed by percentage based on the drainage plan. City general code is 30% lot coverage. 30% coverage with the 7,000 square foot lot would include the driveway, patio, sidewalk, house, and garage on a typical home. This would place the property at 1,200+ square feet house with 400+ square foot garage.
- The final plat does require a revised copy because of the missing setback information and any items listed by the city engineer.
- The city 2018 Master growth plan figure 3.4 preferred Balanced Growth Residential suburban density.
- <http://www.belaires.gov/DocumentCenter/View/3245/Chapter-18A-Zoning-Regulations-Adopted-2016> contains the Zoning Code. The landscape requirements, lot size, etc.
- <http://www.egovlink.com/belaire/docs/menu/home.asp> contains the Public Works tab to find the city standards information.

Elk Creek 3rd

Sedgwick County, Kansas



Elk Creek 3rd Addition

45TH

ROCK

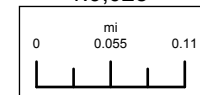
OLD MILL ST

CHAMPIONS ST

3rd GLASS CIR

IRONWOOD ST

1:9,028



Date: 7/28/2022

It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.

The GIS personnel make no warranty or representation, either expressed or implied, with respect to the accuracy or the data displayed.



Geographic Information Services

Sedgwick County...
working for you

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

Know all men by these presents that we, the undersigned, have caused the land in the surveyors certificate to be platted into Lots, a Block, Reserves, and Streets, to be known as "CHAPEL LANDING 6TH", Bel Aire, Sedgwick County, Kansas. The utility easements are hereby granted as indicated for the construction and maintenance of all public utilities. The drainage easements are hereby granted as indicated for drainage purposes. The drainage and utility easements are hereby granted as indicated for drainage purposes and for the construction and maintenance of all public utilities. The streets are hereby dedicated to and for the use of the public. Reserve "A" is hereby reserved for entry monuments, open space, landscaping, berms, sidewalks, playgrounds, recreation areas, gazebos, lakes, drainage purposes, streets as confined to easement, and utilities as confined to easements. Reserve "B" is hereby reserved for open space, landscaping, sidewalks, playgrounds, swimming pools and related facilities, drainage purposes, streets as confined to easement, and utilities as confined to easements. Reserves "A" and "B" shall be owned and maintained by the current owner, and/or their successors, assigns, and/or a Homeowners Association. Access controls shall be as depicted on the face of the plat and are hereby granted to the City of Bel Aire, Kansas. The Minimum Building Pad Elevation for the lowest opening to the structures shall be as indicated on the face of the plat.

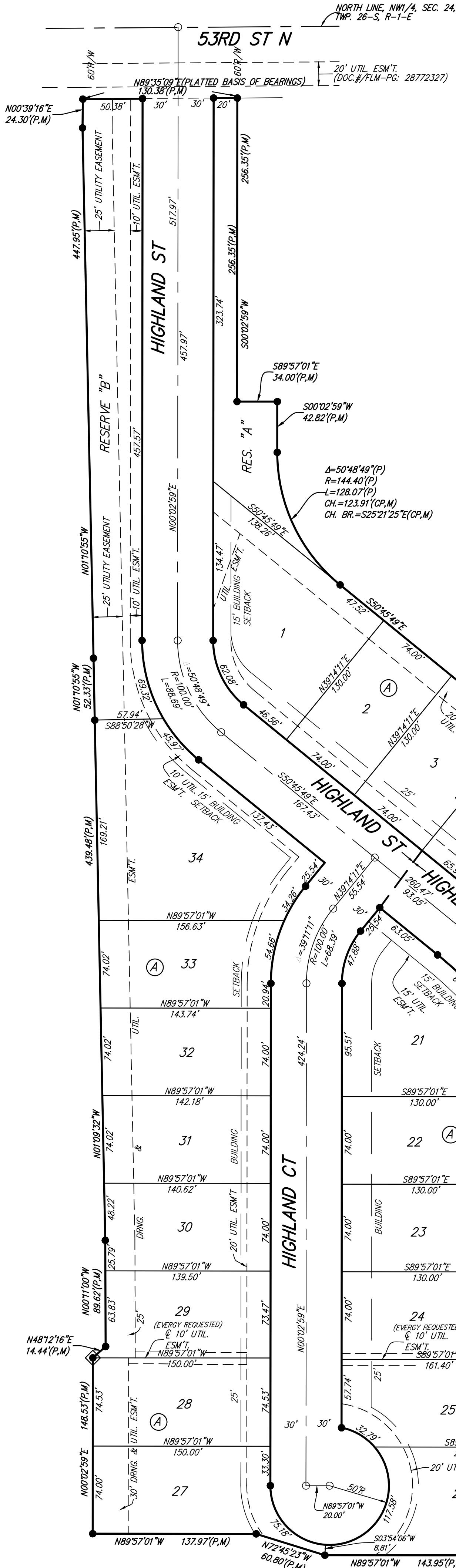
53rd & Oliver, LLC,
a Kansas limited liability company

_____, Manager
Jay W. Russell

State of Kansas) SS The foregoing instrument acknowledged before
Sedgwick County) me, this _____ day of _____, 2022, by Jay W. Russell, Manager of
53rd & Oliver, LLC, a Kansas limited liability company, on behalf of the
limited liability company.

_____, Notary Public

My App't. Exp. _____



FINAL PLAT
CHAPEL LANDING 6TH
BEL AIRE, SEDGWICK COUNTY, KANSAS
NW & NE 1/4 OF SEC. 24, T-26-S, R-1-E

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that we have surveyed and platted "CHAPEL LANDING 6th", Bel Aire, Sedgwick County, Kansas and that the accompanying plat is a true and correct exhibit of the property surveyed, described as and being a replat of all of Lots 58, 59, and 60, Block C, TOGETHER with all of Lots 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 68 and 69, Block F, TOGETHER with all of Reserves "E", "F", "G" and "S", all as platted in Chapel Landing, Bel Aire, Sedgwick County, Kansas, TOGETHER with that part of Lot 61 in said Block C described as follows: Beginning at the most northerly corner common to said Lots 60 and 61; thence S36°59'18"E coincident with the lot line common to said Lots 60 and 61, 154.65 feet to the most easterly corner common to said Lots 60 and 61; thence S64°07'45"W coincident with the southeast line of said Lot 61, 72.04 feet; thence N25°52'15"W 132.02 feet; thence N71°44'35"W 19.61 feet to the intersection with the northwest line of said Lot 61; thence northeasterly coincident with said northwest line, being a curve to the right, through a central angle of 03°20'42" and having a radius of 970.00 feet, an arc distance of 56.63 feet, (having a chord length of 56.62 feet bearing N57°58'17"E) to the point of beginning, TOGETHER with that part of Lot 66 in said Block F described as follows: Commencing at the most southerly corner common to Lots 66 and 67 in said Block F; thence N36°59'18"W coincident with the lot line common to said Lots 66 and 67, 26.37 feet for a point of beginning; thence N71°44'35"W 39.24 feet; thence N66°33'24"W 82.09 feet to the intersection with the northwest line of said Lot 66; thence N53°00'42"E coincident with the northwest line of said Lot 66, 62.88 feet to the most northerly corner common to said Lots 66 and 67; thence S36°59'18"E coincident with the lot line common to said Lots 66 and 67, 103.64 feet to the point of beginning, TOGETHER with Lot 67 in said Block F, EXCEPT that part of said Lot 67 described as follows: Beginning at the most southerly corner common to Lots 66 and 67 in said Block F; thence N36°59'18"W coincident with the lot line common to said Lots 66 and 67, 26.37 feet; thence S71°44'35"E, 32.18 feet to the intersection with the southeast line of said Lot 67; thence southwesterly coincident with said southeast line, being a curve to the left, through a central angle of 01°01'14" and having a radius of 1030.00 feet, an arc distance of 18.35 feet, (having a chord length of 18.35 feet bearing S53°13'16"W) to the point of beginning, and TOGETHER with that part of Reserve "A" as platted in Chapel Landing 3RD/, Bel Aire, Sedgwick County, Kansas, lying generally south of and abutting the following described line: Beginning at the northwest corner of Lot 1, Block A in said Chapel Landing 3rd/, thence N89°57'01"W coincident with the northwesterly prolongation of the north line of said Lot 1, 34.00 feet to the intersection with the west line of said Reserve "A", and for a point of termination.

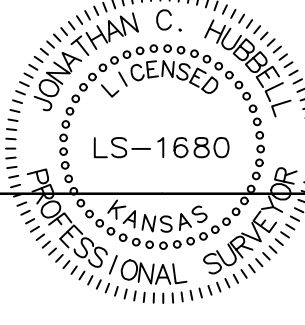
Existing public easements, building setbacks, access controls, and dedications, if any, being vacated by virtue of K.S.A. 12-512b, as amended.

All being situated in the Northwest and Northeast Quarter of Section 24, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas.

Baughman Company, P.A.

Date of Survey: _____

Jonathan C. Hubbell



_____, Surveyor

We, the undersigned holders of a mortgage on the above described property, do hereby consent to this plat of "CHAPEL LANDING 6TH", Bel Aire, Sedgwick County, Kansas.

Emprise Bank

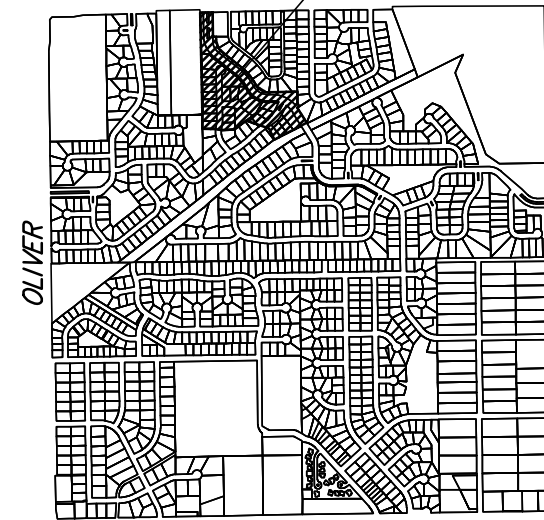
STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

The foregoing instrument acknowledged before me, this _____ day of _____, 2022, by _____ of Emprise Bank, on behalf of the bank.

(Title)

_____, Notary Public
My App't. Exp. _____

53RD STREET NORTH SITE



45TH STREET NORTH
VICINITY MAP
SEC. 24, T26S, R1E

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

This plat of "CHAPEL LANDING 6TH", Bel Aire, Sedgwick County, Kansas has been submitted to and approved by the Bel Aire Planning Commission, Bel Aire, Kansas, and is hereby transmitted to the City Council of the City of Bel Aire, Kansas, with the recommendation that such plat be approved as proposed.

Dated this _____ day of _____, 2022.

_____, Chair
James Schmidt

ATTEST: _____, Secretary
Anne Stephens

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

The dedications shown on this plat, if any, are hereby accepted by the Governing Body of the City of Bel Aire, Kansas on _____, 2022.

_____, Mayor
Jim Benage
ATTEST: _____, City Clerk
Melissa Krehbiel

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

The title evidence of the land included in this plat has been reviewed by me and the plat is approved pursuant to the provisions of K.S.A. 12-401.

Date Signed: _____, 2022.

_____, City Attorney
Jacqueline Kelly

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2022.

Tricia L. Robello, P.S. #1246
Deputy County Surveyor
Sedgwick County, Kansas

Entered on transfer record this _____ day of _____, 2022.

_____, County Clerk
Kelly B. Arnold

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS

This is to certify that this instrument was filed for record in the Register of Deeds Office at _____ (a.m.) (p.m.) on the _____ day of _____, 20 _____ and is duly recorded.

_____, Register of Deeds
Tonya Buckingham

_____, Deputy
Kenly Zehring

NOTE: THE FRONT YARD BUILDING SETBACK LINE WITHIN THE PROPOSED ADDITION SHALL BE A MINIMUM OF 25 FEET. WHEN A CORNER LOT IS INVOLVED, THE SIDE YARD BUILDING SETBACK LINE SHALL BE A MINIMUM OF 15 FEET WITH COMPLETE ACCESS CONTROL.

NOTE: THE MINIMUM INTERIOR SIDE YARD SETBACK IN CHAPEL LANDING 6TH SHALL BE 6 FEET FOR THE PRIMARY STRUCTURE ONLY AND NO GROUND LEVEL OR NEAR GROUND LEVEL ENCROACHMENTS SHALL BE ALLOWED IN THIS SETBACK, INCLUDING, BUT NOT LIMITED TO WINDOW WELLS, THE PLACEMENT OF HEATING, (INCLUDING A CHIMNEY), OR AIR CONDITIONING EQUIPMENT, OR ANY OTHER GROUND LEVEL TYPE ENCROACHMENTS THAT WOULD RESTRICT CIRCULATION AROUND THE PRIMARY STRUCTURE. OVERHEAD ENCROACHMENTS, INCLUDING, BUT NOT LIMITED TO OVERHANGING EAVES AND GUTTERS SHALL BE PERMITTED IN THIS SETBACK ONLY AS ALLOWED BY THE ZONING ORDINANCE.

BENCHMARK: SANITARY SEWER MANHOLE RM 355.2 SOUTH AND 50'± EAST OF THE INTERSECTION OF CENTRAL PARK AND WOODLAWN. ELEV. = 1428.11 NGVD29

BENCHMARK: "C" CUT IN NORTH HEADWALL OF RCBC 1075' EAST OF INTERSECTION OF 53RD ST N. & OLIVER. ELEV.=1393.83 NGVD29

MINIMUM BUILDING PAD ELEVATIONS FOR LOWEST OPENING TO THE STRUCTURES		
LOT	BLOCK	ELEVATION
15-19	A	1403.7
25-28	A	1405.7

CHAPEL LANDING 6TH

REV: Jun. 30, 2022
Jun. 13, 2022



BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

CITY OF BEL AIRE, KANSAS

File No. S/D 22-03

APPLICATION FOR FINAL PLAT APPROVAL

This is an application for processing a final plat in accordance with the City Subdivision Regulations. The application must be completed and filed with the Subdivision Administrator at least 15 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision Chapel Landing 6th

General Location 1/2 mile west of Woodlawn on the south side of 53rd St N

☒ Inside City ☐ To be Annexed ☐ Outside City

Name of Landowner TW Renovations, LLC Attn: Travis Whisler

Address 1815 Southwest Blvd., Wichita, KS 67213 Phone 316-371-4499

Name of Subdivider/Agent same as (Engineer)(Land Planner)

Address _____ Phone _____

Name of (Engineer) (Land Planner) Baughman Company, P.A. Attn. Kris Rose

Address 315 Ellis Wichita, KS 67211 Phone 262-7271

Name of Registered Land Surveyor same as above

Address _____ Phone _____

Subdivision Information

1. (Select One) ☒ Final Plat of entire preliminary plat area

☐ Final Plat of unit number _____ of _____ unit developments

☐ Final Plat for small tract

☐ Final Replat of original platted area

2. Gross acreage of plat 14.62 Acres

3. Total number of lots 34

4. Proposed land use for an ☒ Urban-Type ☐ Rural Type Subdivision:

a. Residential-Single-Family ☒ Duplex ☐ Multiple Family ☐ Manufactured/Mobile Home

b. Commercial _____

c. Industrial _____

d. Other _____

5. Predominant minimum lot width 70 Feet
6. Predominant minimum lot area 9,100 Square Feet
7. Existing zoning "R-4" District
8. Proposed zoning n/a District
9. Source of water supply City of Bel Aire
10. Method of sewage disposal City of Bel Aire
11. Total lineal feet of new street 2,055 Feet

Street Name	R/W Width	Lineal Feet
a. <u>Highland Cir.</u>	<u>60</u> Ft.	<u>1655</u> Ft.
b. <u>Highland Ct.</u>	<u>60</u> Ft.	<u>514</u> Ft.
c. _____	_____ Ft.	_____ Ft.
d. _____	_____ Ft.	_____ Ft.
e. _____	_____ Ft.	_____ Ft.
f. _____	_____ Ft.	_____ Ft.
g. _____	_____ Ft.	_____ Ft.
h. _____	_____ Ft.	_____ Ft.
i. _____	_____ Ft.	_____ Ft.
j. _____	_____ Ft.	_____ Ft.

12. Proposed type of street surfacing asphalt mat
13. Curb and gutter proposed: ☒ Yes ☐ No
14. Sidewalks proposed: ☒ Yes ☐ No If yes, where? _____

Per City of Bel Aire sidewalk policy

15. Is any portion of the proposed subdivision located in an identified flood plain area?
- ☐ Yes ☒ No

The landowner herein agrees to comply with the City Subdivision Regulations and all other related ordinances, policies and standards of the City and statutes of the State of Kansas. It is further agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds shall be paid by the owner. The undersigned further states that he/she is the owner of the land proposed for platting and, when requested, will permit officials of the City to inspect the land as may be necessary for proper plat review.

_____	_____	<u>Karen R.</u>	<u>6-13-22</u>
Landowner	Date	Agent (If any)	Date

OFFICE USE ONLY

Prints of the Final Plat received 15 (Number)

Final drainage plan, if required, received —

Copy of a title report for the land received —

Copy of proposed restrictive covenants, if any, received _____

Methods for financing and guaranteeing improvements _____


For plats for small tract:

a. Vicinity map received _____

b. Topographic drawing, if required, received _____

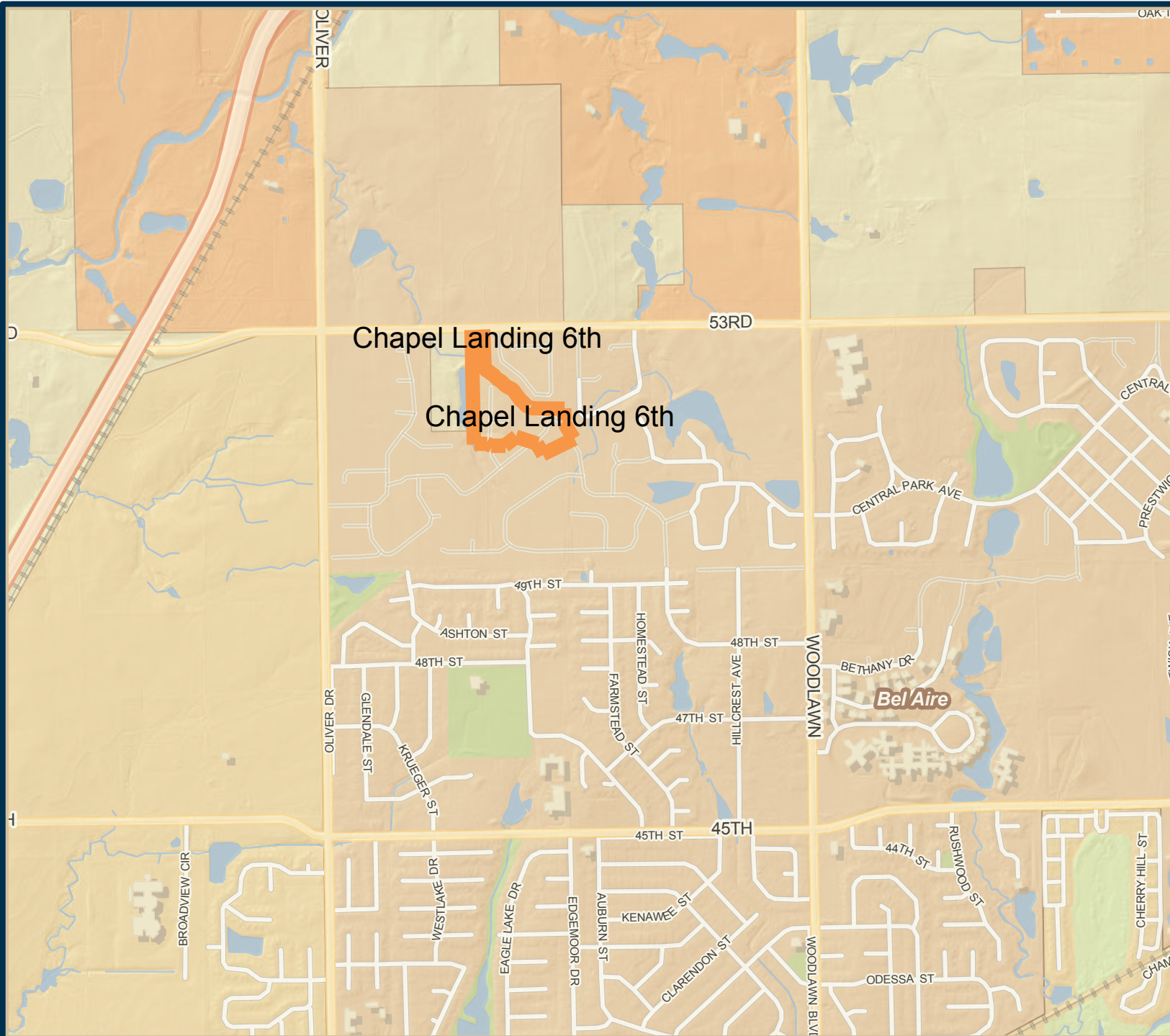
Original drawing or photographic equivalent of Final Plat received _____

This application was received by the Subdivision Administrator on 6.13.22,
2022. It has been checked and found to be accompanied by the required
information and the fee, if any, of \$ 370.00 paid to the City Clerk.



Subdivision Administrator

cc: Applicant



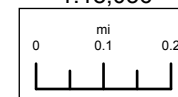
Section XII, Item L.

Chapel Landing 6th

Sedgwick County, Kansas



1:18,056



Date: 7/28/2022

It is understood that the Sedgwick County GIS, Division of Information and Operations, has no indication or reason to believe that there are inaccuracies in information incorporated in the base map.

The GIS personnel make no warranty or representation, either expressed or implied, with respect to the accuracy or the data displayed.



Geographic Information Services

Sedgwick County...
working for you

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CITY OF BEL AIRE
STAFF REPORT

DATE: July 31, 2022

TO: Ty Lasher, City Manager

FROM: Dave Leiker, Public Works Director

RE: Public Works Monthly Progress Report – July 2022

Public Works completed all scheduled maintenance this month despite the hot conditions. Work schedules were carefully planned to have the labor intensive work completed before noon. Heat safety training was conducted and staff fared pretty well. There were 10 days in July with temperatures over 100° and 10 days over 95° however I would imagine heat index values would push several of these days up over 100°.

STREETS

Staff has completed the crack sealing on all the concrete roads, we used 1,200 lbs. of rubber. We are now focusing on street repairs corresponding with the first phase of PEC's street repair plan.

The new mastic crack filling machine has been delivered. Crafcro went over the new updates and advances with staff. This machine will allow us to make several different types of street repairs including; filling in small pot-holes, repairing spider cracks and smoothing out uneven pavement. The biggest time saving feature is that this machine can be used to eliminate time consuming thermal crack repairs.

Staff also received the international truck, we are very excited about this new addition to our fleet. This truck will make snow removal much more efficient and safer and the guys really like the air-ride seat, larger plow, great lighting system and the bed lift controls.



WATER

Staff received notification that the mixing unit in the N. water tower was not functioning and after further investigation we determined it was the mixer motor that has quit working. This unit is housed in the tower tank so it needs to be completely drained before it can be replaced. The repairs are scheduled in September when water consumption slows. The current high demand for water creates turbulence and helps keep the water from stratifying which keeps chlorine levels constant throughout the tank.

Bids have been sent out for the water line replacement project in Aurora Park and 41st St. and they are due on August 5th.

****INSERT MONTHLY WATER TOTALS AND METER SERVICE INSTALLS****

SEWER

The new Flygt grinder pump was delivered and installed and is working great. We are confident this will help with the pump clogging issues we have had. The old original pump that was pulled has been taken in to have inspected to see if is worth refurbishing for a spare.



On the 25th staff received a high level alarm at the 53rd St. lift station and after inspection it was determined that the PLC (Programmable logic controller) unit failed. So the pumps were not working in automatic mode as they should. Staff had a portable pump brought in to keep the wastewater at a safe level. The new PLC was shipped overnight and replaced the next day and everything is operating as expected.

STORMWATER

Staff reinstalled silt fencing in the ditch at the southeast corner of Oliver and 45th St. The stormwater report mandated by KDHE has been updated and current. City staff has been working together to document and notify builders and developers of erosion issues and proper BMP placement that is needed in the new subdivisions. KDHE will be in town the middle of August for their MS4 inspection.

PARKS

Staff has been desperately been trying to keep all city owned plants, shrubs, trees and grass alive. As you can imagine with the extremely hot days and lack of moisture this has been a tough trek. We have hand watered young city trees and entrance sign landscaping several times over the last few weeks and used approximately 4,500 gallons of water. We have also adjusted sprinkler heads and made repairs to irrigation systems to maximize efficiency. In addition, irrigation clocks are continually being adjusted to water as necessary.

Mowing has slowed down and allowed time to spray 70 gallons of Glyphosate for weeds in parks and playgrounds. Staff also used about 65 gallons of Tempo to spray for bagworms.

Playground equipment safety inspections completed 7/20 and we replaced a swing and chains at Eagle Lake Park, replaced two swings and chains in Brookhouser Park and replaced two child swings and chains at Bel Aire Park.

Tree work involved the removed Austrian Pine at Bel Aire Park due to Pine Wilt Disease and we trimmed trees and brush back causing a blind spot on 53rd and Bristol.



MANAGERS REPORT

DATE: July 28, 2022
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: August 2, 2022 Agenda

Consent Agenda (Item VI)

Contains only the minutes of the July 19th City Council meeting.

Appropriations Ordinance (Item VII)

This reporting period includes CCUA debt service as well as O & M payments. Capital improvement expenses included \$13,089.89 for CIPP for Pearson's Addition, \$141,188.40 for Rock Spring 4th infrastructure, \$21,533.30 for engineering in Rock Spring 5th and \$4,400 for solar stop lights at 53rd and Rock.

City Requested Appearances (Item VIII):

There are several traffic changes taking place due to the Woodlawn reconstruction. Dakota Zimmerman with Garver Engineering has requested time to discuss the changes and answer questions.

Public Hearing (Item IX)

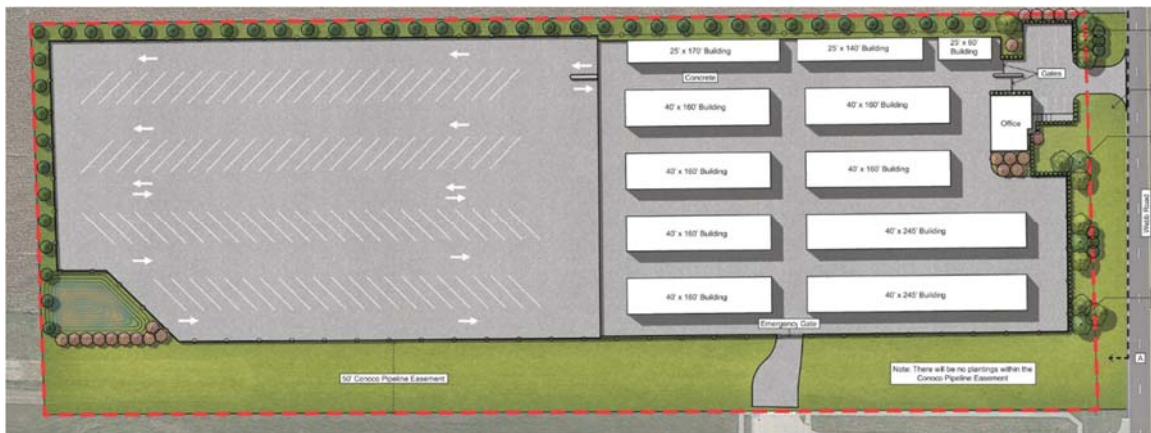
The following projects have been completed: Sewer, Water, Drainage, and Paving in The Villas at Prestwick Phase 1; Rock Spring Phase 6 Sewer and Water; Rock Spring 3rd Phase 1 Water, Sewer Drainage and Paving; Webb Road Gravity Main Sewer; and Webb Road Lift Station. As a result, the cost of said improvements are now to be special assessed against those properties benefiting. All properties being assessed have been notified and the public hearing allows property owners the ability to ask questions or share any comments. The mayor will open the public hearing and Council will close.

IRB Resolution of Intent, Block 49, LLC (Item A):

Block 49, LLC is developing 80 acres on the west side of Webb north of Tierra Verde. Part of their development includes a storage facility. They plan to construct ten storage buildings and one office building totaling 67,000 square foot of storage. The valuation of the facility will be roughly \$7 million dollars and employ one full time manager. At the July 19, 2022 Council Meeting, the City Council approved a Letter of Intent to issue an IRB with the following PILOT payments:

Year 1	0%
Year 2	10%
Year 3	20%
Year 4	30%
Year 5	40%
Year 6	50%
Year 7	60%
Year 8	70%
Year 9	80%
Year 10	90%

A cost benefit analysis was completed that showed a benefit ratio above 1.3 for all government entities. The next step in the issuance of an IRB is the Resolution. Block 49, LLC is responsible for placing the IRB as well as all financial obligations. Bel Aire is in no way responsible for any debt but simply acts as a conduit for the bond. Kevin Cowan will be at the meeting to answer any questions. Staff recommends approving the resolution.



Special Assessment Ordinance (Item B):

The City issued Temp Notes to fund the flowing projects:

- Project No. 1: Villas at Prestwick Phase 1 - Drainage Improvements
- Project No. 2: Villas at Prestwick Phase 1 - Street Improvements
- Project No. 3: Villas at Prestwick Phase 1 – Sanitary Sewer Improvements
- Project No. 4: Villas at Prestwick Phase 1 – Water Distribution System Improvements
- Project No. 5: Rock Spring Addition Phase 6 - Paving Improvements
- Project No. 6: Rock Spring Addition Phase 6 – Water Improvements
- Project No. 7: Rock Spring 3rd Addition – Phase 1 Paving Improvements
- Project No. 8: Rock Spring 3rd Addition – Phase 1 Sewer Improvements
- Project No. 9: Rock Spring 3rd Addition - Drainage Improvements
- Project No. 10: Rock Spring 3rd Addition – Phase 1 Water Improvements
- Project No. 11: Webb Road Gravity Sewer Main Improvements
- Project No. 12: Webb Road Lift Station Improvements

The work has been completed and the projects are set to be special assessed to the respective benefit districts. Notice was mailed to all affected property owners and a public hearing was held earlier in the meeting. The Ordinance is ready for approval if there were no accounting discrepancies found. This will also move the refinancing along from a temp note to GO bond. Kevin Cowan with Gilmore & Bell will be at the meeting to answer any questions.

Resolution authorizing GO and Temp Note Sales (Item C):

This Resolution authorizes the sale of general obligation bonds that will retire temp notes for the above projects being special assessed. The bond will be for 20 years and special assessments collected from the benefiting lots will cover the annual bond payments. Below are the specific projects with dollar amounts being funding via the GO bond:

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Cost</u>
<i>Villas at Prestwick Phase 1</i>			
Drainage	R-18-05	K.S.A. 12-6a01 <i>et seq.</i>	\$154,001.25
Street	R-18-07	K.S.A. 12-6a01 <i>et seq.</i>	346,296.44
Sanitary Sewer	R-18-09	K.S.A. 12-6a01 <i>et seq.</i>	174,180.00
Water Distribution	R-18-11	K.S.A. 12-6a01 <i>et seq.</i>	98,906.00

<i>Rock Springs Addition Phase 6</i>			
Paving	R-19-04	K.S.A. 12-6a01 <i>et seq.</i>	289,287.14
Water	R-19-05	K.S.A. 12-6a01 <i>et seq.</i>	44,360.74
<i>Rock Spring 3rd Addition</i>			
Paving, Phase 1	R-21-26	K.S.A. 12-6a01 <i>et seq.</i>	530,867.62
Sewer, Phase 1	R-21-28	K.S.A. 12-6a01 <i>et seq.</i>	155,301.40
Drainage	R-21-30	K.S.A. 12-6a01 <i>et seq.</i>	198,801.02
Water, Phase 1	R-21-31	K.S.A. 12-6a01 <i>et seq.</i>	95,816.12
<i>Webb Road Gravity Sewer Main</i>	R-20-10	K.S.A. 12-6a01 <i>et seq.</i>	184,029.64
<i>Webb Road Lift Station</i>	R-20-11	K.S.A. 12-6a01 <i>et seq.</i>	845,960.83

This Resolution also authorizes the sale of temp note bonds to fund new improvements petitioned by property owners. The temp note is for a period of three years and after the improvements are completed with total costs determined, a GO bond will be issued to pay off the temp note and permanently finance the improvements for 20 years. Below is the list of projects being funded by the temp note:

<u>Project Description</u>	<u>Res. No.</u>	<u>Authority (K.S.A.)</u>	<u>Estimated Cost*</u>
<i>Chapel Landing Addition Phase 2</i>			
Paving	R-21-50	K.S.A. 12-6a01 <i>et seq.</i>	\$554,000
Sanitary Sewer	R-21-51	K.S.A. 12-6a01 <i>et seq.</i>	521,000
Drainage	R-21-52	K.S.A. 12-6a01 <i>et seq.</i>	532,000
Water Distribution	R-21-53	K.S.A. 12-6a01 <i>et seq.</i>	287,000
<i>Skyview at Block 49 Phase 2</i>			
Paving	R-22-01	K.S.A. 12-6a01 <i>et seq.</i>	\$372,000
Sanitary Sewer	R-22-02	K.S.A. 12-6a01 <i>et seq.</i>	173,000
Sidewalk	R-22-03	K.S.A. 12-6a01 <i>et seq.</i>	18,000
Drainage	R-22-04	K.S.A. 12-6a01 <i>et seq.</i>	271,000
Water Distribution	R-22-05	K.S.A. 12-6a01 <i>et seq.</i>	107,000
<i>Bristol Hollows Addition Phase 2</i>			
Paving	R-22-09	K.S.A. 12-6a01 <i>et seq.</i>	616,000
Sanitary Sewer	R-22-10	K.S.A. 12-6a01 <i>et seq.</i>	195,000
Water	R-22-11	K.S.A. 12-6a01 <i>et seq.</i>	173,000
<i>Chapel Landing Addition and Homestead Senior Landing</i>			

Sanitary Sewer Main	R-22-33	K.S.A. 12-6a01 <i>et seq.</i>	153,000
Sanitary Sewer Pump Station	R-22-34	K.S.A. 12-6a01 <i>et seq.</i>	1,685,000
<i>Cedar Pass Addition Phase 1</i>			
Paving	R-22-13	K.S.A. 12-6a01 <i>et seq.</i>	777,000
Sanitary Sewer	R-22-14	K.S.A. 12-6a01 <i>et seq.</i>	472,000
Drainage	R-22-15	K.S.A. 12-6a01 <i>et seq.</i>	1,092,000
Water Distribution	R-22-16	K.S.A. 12-6a01 <i>et seq.</i>	368,000

Utility Advisory Committee Revised Bylaws (Item D)

The UAC requested a change to their bylaws to solve two issues. First, all UAC terms expire at the same time currently. As of now, the City technically has no members on the UAC as they all expired in July at the same time. The recommended update to the bylaws before Council will stagger those terms so no more than two seats are up for appointment at the same time beginning in August of 2022. After the initial 2022 term, each seat would cycle through a 3-year term.

Secondly, the update to the bylaws removes the 3-term limit requirement for members. UAC members feel there is great value in the continuity their long serving members bring to the research the advisory board does, and they recognize that it's already hard to find people to volunteer for the committee. By removing the term limit, the city can increase to the pool of eligible volunteers.

Utility Advisory Committee Appointments (Items E - H)

Due to the changes in bylaws regarding members and terms, the UAC is requesting reappointments to be made and staggered. The current members agreed to continue serving with terms identified on the agenda. There is one open seat.

Zone Change Ordinance (Item I)

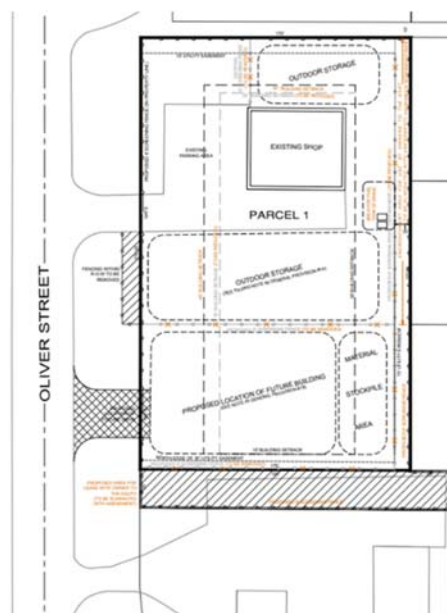
The owner of approximately 73 acres north of land owned by Jabara Airport on the northeast corner of 45th and Webb requested a zone change from AG to M-1 Industrial. This parcel was recently annexed into the city. Steve Barrett represented the buyer and has the land under a purchase contract. The Planning Commission recognize the land to the north, east and west was all zoned industrial and the parcel to the south is owned by Jabara Airport. There were no residents in attendance wanting to speak on the rezoning. After consideration of the Golden Factors and the request for the zoning change, the Planning Commission voted (by

passing a 5-0 motion) to recommend the zone change be approved by the City Council.



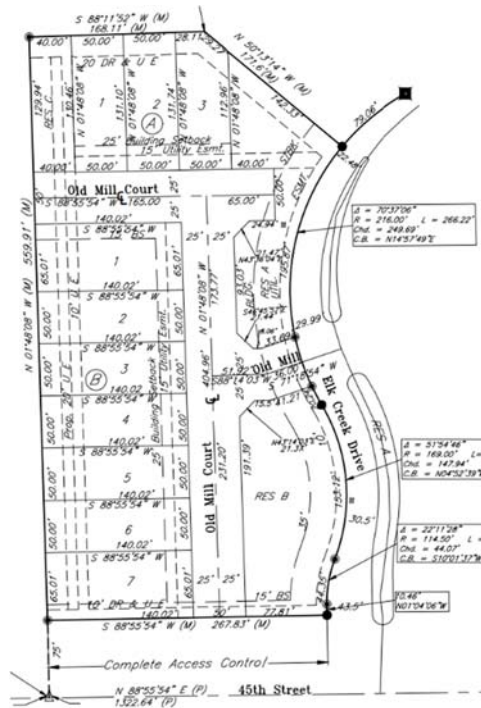
Winkley Addition Zone Change and PUD Overlay (Item J)

The owner of Parcel 1 of the Winkley Addition requested a reduction of the 50' building setback from Oliver to 40' building setback, a reduction in the building setback from 35' to 30' for two new buildings on the NE and NW corners of existing building, the addition of two 500 ga. storage tanks, a request to remove the 10' buffer on the east property line and moving the fence to the southern property line (removing the 25' easement). The planning commission discussed the mobile fuel storage tanks and the owner stated that the tanks would meet all state and local requirements for the tanks per the PUD. There were no residents in attendance to speak on the issue. Taking all considerations into account, the Planning Commission voted (by passing a 5-0 motion) to approve amending the PUD for Winkley Addition Commercial to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area without changes).



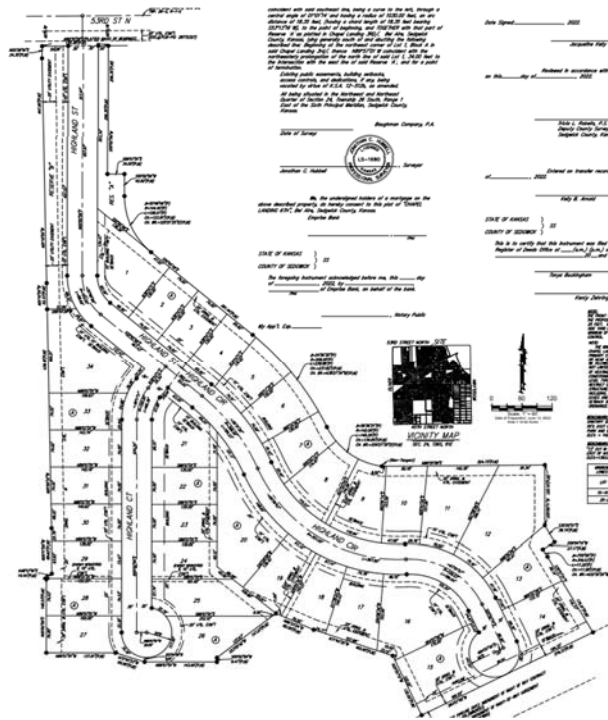
Final Plat of Elk Creek 3rd (Item K)

At their July 19th meeting, the Planning Commission reviewed the Developer's preliminary and final plats for Elk Creek 3rd. A public hearing was held to allow interested parties and citizens to share any comments or concerns. No one spoke at the public hearing. Following the hearing, the Planning Commission considered the evidence, discussed the plat, and reviewed the report provided by staff. After diligent consideration, the Planning Commission voted (by passing a 5-0 motion) to approve the final plat without changes. The Commission recommends Council accept the Developer's commitment to dedicate certain land within the plat for public purposes.



Final Plat of Chapel Landing 6th (Item L)

At their July 19th meeting, the Planning Commission reviewed the Developer's preliminary and final plats for Chapel Landing 6th. A public hearing was held to allow interested parties and citizens to share any comments or concerns. No one spoke at the public hearing. Following the hearing, the Planning Commission considered the evidence, discussed the plat, and reviewed the report provided by staff. After diligent consideration, the Planning Commission voted (by passing a 5-0 motion) to approve the final plat without changes. The Commission recommends Council accept the Developer's commitment to dedicate certain land within the plat for public purposes.



Discussion And Future Issues (XIV)

Keeping with the traditional schedule for workshops (the second Tuesday of the month), the next workshop will fall on August 9th at 6:30 p.m. Ted will present his revised draft of the 2023 budget based on input from the July workshop. The goal is to have the budget completed at this workshop so adoption can take place in September.

The Council Retreat is scheduled for August 13th beginning at 9:00 am. It will be open to the public but not televised.

The Developer wanting to purchase the lot across from City Hall has presented a new offer for the Land Bank. He would like to attend a Land Bank meeting and present his development. Will 6:30 pm on August 16th work for a Land Bank meeting?