



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
May 07, 2024 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: Gary Green

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. PROCLAMATION

A. Older Americans Month, May 2024

B. Public Service Recognition Week, May 5-11, 2024

VI. DETERMINE AGENDA ADDITIONS

VII. CONSENT AGENDA

A. Approval of Minutes of the April 16, 2024 City Council meeting.

B. Accept Petitions for Paving, Sanitary Sewer, Stormwater, and Water Distribution System Improvements to serve Chapel Landing 6th Addition.

C. Adopt Resolutions Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving, Sanitary Sewer, Stormwater Sewer, and Water Distribution Improvements/Chapel Landing 6th Addition).

D. Approve Waz Up Fireworks, LLC to be located at 9745 E 50th St N (Clinic In A Can) as qualifying for Fireworks Retail Sales Permit pending Sedgwick County Fire Marshall inspection.

- E. Approve Wholesale Fireworks Enterprises, LLC to be located at 6334 E Crestmark as qualifying for Fireworks Retail Sales Permit pending Sedgwick County Fire Marshall inspection.**
- F. Accept the Mayor's reappointment of Dee Anne Roths to the Planning Commission. The term will be three years and will expire on 6/1/2027.**
- G. Accept the Mayor's reappointment of Philip Jordan to the Planning Commission. The new term is three years and will expire on 4/1/2027.**

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

Motion _____ Second _____ Vote _____

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

- A. Consideration of Appropriations Ordinance No. 24-08 in the amount of \$2,291,672.24.**

Action: Motion to (approve / deny / table) Appropriations Ordinance No. 24-08.

Motion _____ Second _____ Vote _____

IX. CITY REQUESTED APPEARANCES

- A. Ken Lee, Garver – 45th Street roundabout preliminary design sketch**
- B. Gary O'Neal, Bel Aire Lions Club – Application for Fireworks Retail Sales Permit**

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 an application from Bel Aire Lions Club for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.**

Action: Motion to (approve / deny / table) the application application from Bel Aire Lions Club for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection, and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

B. Consideration of an application from Shocker Fireworks for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection.

Action: Motion to (approve / deny / table) the application from Shocker Fireworks for Fireworks Sales Permit pending Sedgwick County Fire Marshall inspection, and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

C. Consideration of A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Authorizing The Sale And Conveyance Of Certain Property To North Webb, LLC.

Action: Motion to (adopt / deny / table) the Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Authorizing The Sale And Conveyance Of Certain Property To North Webb, LLC and authorize all required signatures.

Motion _____ Second _____ Vote _____

D. Consideration of Work Order No. 24-04 with PEC for Civil Engineering Design Services for the 2024 Street Maintenance Program.

Action: Motion to (approve / deny / table) Work Order No. 24-04 with PEC for Civil Engineering Design Services for the 2024 Street Maintenance Program and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

E. Consideration of a Bid for Paving Improvements to serve Aurora Park (40th & Parkwood). Bids were received from three companies:

	<u>Eng. Estimate</u>	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>
Base Bid	\$519,098.50	\$927,791.00	\$717,257.00	\$786,926.50
Alt 1: Intersection	(\$5,200.00)	(\$5,980.00)	(\$5,720.00)	(\$9,100.00)
Base + Alt 1	\$513,898.50	\$921,811.00	\$711,537.00	\$777,826.50
Alt 2: Ditch	\$101,355.00	\$255,702.00	\$173,577.00	\$359,352.00
Base + Alt 2	\$620,453.50	\$1,183,493.00	\$890,834.00	\$1,124,464.50
Base + Alt 1 & 2	\$615,253.50	\$1,177,513.00	\$885,114.00	\$1,115,364.50
Alt 3: Concrete	\$128,340.00	\$147,591.00	\$102,672.00	\$147,591.00
Base + Alt 3	\$647,438.50	\$1,075,382.00	\$819,929.00	\$934,517.50

Base + Alt 1, 2 & 3 \$743,593.50 \$1,325,104.00 \$987,786.00 \$1,262,955.50

Action: Motion to (accept / deny / table) the Base Bid from _____ (and/ or) Alternate 1, (and/or) Alternate 2, (and/or) Alternate 3, for a total bid amount not to exceed \$ _____ and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

F. Consideration of a Charter Ordinance exempting the City of Bel Aire, from the provisions of K.S.A. 12-1651.

Action: Motion to (adopt / deny / table) Charter Ordinance No. 25 exempting the City of Bel Aire from the provisions of K.S.A. 12-1651, relating to designation of an official city newspaper and providing substitute and additional provisions on the same subject.

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____ Mayor Jim Benage _____

G. Consideration of An Ordinance Calling A Referendum Election To Approve Proposed Charter Ordinance 25 Of The City Of Bel Aire, Kansas And Setting The Election For The Same In Conjunction With The State-Wide August Primary Election.

Action: Motion to (adopt / deny / table) An Ordinance Calling A Referendum Election To Approve Proposed Charter Ordinance 25 Of The City Of Bel Aire, Kansas And Setting The Election For The Same In Conjunction With The State-Wide August Primary Election.

Motion _____ Second _____ Vote _____

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. City Council Workshop - May 14th at 6:30 p.m. ?

XV. ADJOURNMENT

Action: Motion to adjourn.

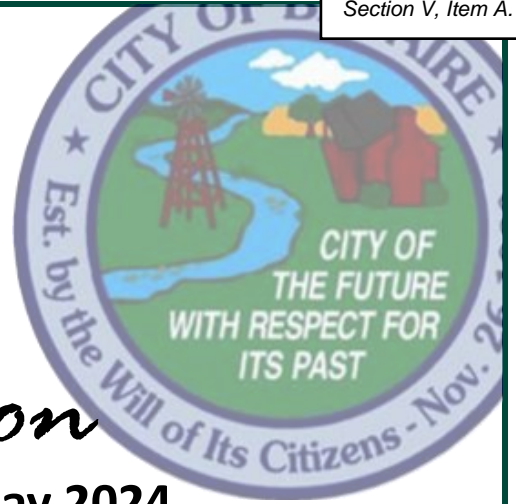
Motion _____ Second _____ Vote _____

Additional Attachments:

A. City Manager's Report – May 7, 2024

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. Video of this meeting can be streamed at www.belairesks.gov and on YouTube. Please make sure all cell phones and other electronics are turned off and put away.



Proclamation

Older Americans Month, May 2024

TO THE CITIZENS OF BEL AIRE, KANSAS, GREETINGS:

Whereas, May is Older Americans Month, a time for us to recognize and honor older adults and their immense influence on every facet of American society; and

Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

Whereas, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

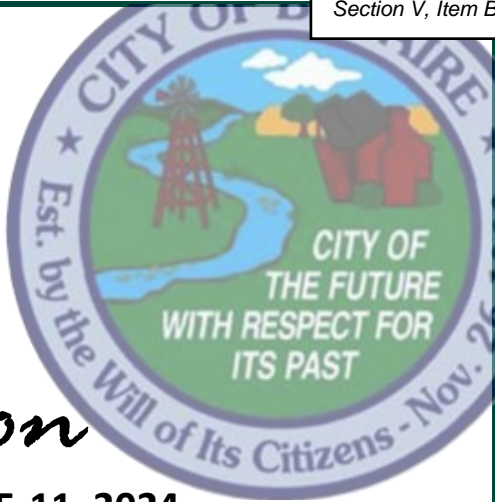
Whereas, Bel Aire must ensure that older Americans have the resources and support needed to stay involved in their communities — reflecting our commitment to inclusivity and connectedness; and

Now therefore, I, Mayor Jim Benage, do hereby proclaim May 2024 as Older Americans Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of Bel Aire, Kansas this 7th day of May, 2024.

Jim Benage, Mayor





Proclamation

Public Service Recognition Week, May 5-11, 2024

TO THE CITIZENS OF BEL AIRE, KANSAS, GREETINGS:

Whereas: Americans are served every single day by public servants at the federal, state, county and city levels. These unsung heroes do the work that keeps our nation working;

Whereas: Public employees take not only jobs, but oaths;

Whereas: Many public servants, including military personnel, police officers, firefighters, border patrol officers, embassy employees, health care professionals and others, risk their lives each day in service to the people of the United States and around the world;

Whereas: Public servants include teachers, inspectors, law enforcement, bus drivers, managers, engineers, public works, recreation employees, firefighters, accountants, customer service representatives, laborers, computer technicians, social workers, and countless other occupations. Day in and day out they provide the diverse services demanded by the American people of their government with efficiency and integrity; and

Whereas: Without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials;

Therefore: I, Mayor Jim Benage of the City of Bel Aire, do hereby announce and proclaim to all citizens and set seal hereto, that May 5-11, 2024 is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government employees at all levels — federal, state, county and city.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of Bel Aire, Kansas this 7th day of May, 2024.

Jim Benage, Mayor





MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
April 16, 2024 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 Councilmembers Greg Davied, Emily Hamburg, Justin Smith, and John Welch. Councilmember Tyler Dehn was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, Finance Director Barry Smith, City Engineer Anne Stephens, Public Works Director Marty McGee, City Clerk Melissa Krehbiel, Bond Counsel Kevin Cowan of Gilmore and Bell, and consultant Ken Lee, P.E. of Garver.

III. OPENING PRAYER: Dr. Robert Lindsted provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. PROCLAMATION

A. Arbor Day - April 20, 2024

Mayor Benage read and signed the proclamation.

VI. DETERMINE AGENDA ADDITIONS: There were no additions.

VII. CONSENT AGENDA

A. Approval of Minutes of the April 2, 2024 City Council meeting.

MOTION: Councilmember Smith moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Davied seconded the motion. ***Motion carried 4-0.***

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-07 in the amount of \$324,861.28.

MOTION: Councilmember Davied moved to approve Appropriations Ordinance No. 24-07. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

IX. CITY REQUESTED APPEARANCES

A. President Aaron Maxwell, Bel Aire Chamber of Commerce - Quarterly Report

Mr. Maxwell gave a quarterly report. Memberships and sponsorships have increased, and the Chamber has planned a full calendar of speakers and tours for 2024.

X. CITIZEN CONCERNS: No one spoke.

XI. PUBLIC HEARING

A. The Purpose of the Public Hearing is to hear from taxpayers, Bel Aire residents and other stakeholders in regard to the issuance by the City of its Taxable Industrial Revenue Bonds (Aspen Funds LLC), in a principal amount not to exceed \$105,000,000 (the “Bonds”) and in regard to an exemption from ad valorem taxation of property acquired, constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the City under authority of K.S.A. 12-1740 et seq., as amended, to pay the costs of acquiring land and constructing and equipping approximately five (5) buildings of approximately 912,925 total square feet for use in industrial, manufacturing, warehouse, distribution, flex and/or office purposes, to be located immediately northeast of the intersection of 53rd Street North and Webb Road in the City. The City further intends to lease such facilities to Aspen Funds LLC, a Kansas limited liability company, or a related entity (the “Tenant”).

Mayor Benage opened the public hearing. No one spoke.

MOTION: Councilmember Hamburg moved to close the public hearing. Councilmember Welch seconded the motion. *Motion carried 4-0.*

XII. REPORTS

A. Council Member Reports

Councilmember Welch attended the Walton’s groundbreaking ceremony on April 15th.

Councilmember Hamburg briefly reported on the Walton’s groundbreaking on April 15th, the Wichita Chamber’s Issues Forum and the REAP meeting on April 11th, the recent meeting between the City of Wichita and Sedgwick County, and the conclusion of the indoor soccer season at Bel Aire Recreation Center. She thanked the Recreation staff, volunteer coaches and families that participated. Councilmember Hamburg reminded residents that the E-Recycle and Shred Day will be held at City Hall on April 27th.

B. Mayor's Report

Mayor Benage reported that former City Councilmember Betty Martine passed away on April 7th. A vigil will be held at Church of the Resurrection on Woodlawn on April 24th and her funeral will be held on April 25th.

Mayor Benage thanked the Bel Aire Lion’s Club for restriping the parking lot at the Bel Aire Recreation Center.

He briefly reported on the groundbreaking for Walton’s on April 15th and the WAMPO TPB meeting on April 9th. He also met General Michael Flynn on April 13th at Sunrise Christian Academy.

Mayor Benage noted that the Tree Board will hold a celebration on April 20th at City Hall to mark Arbor Day.

C. City Attorney Report

City Attorney Maria Schrock gave a brief report on a recent sanitary sewer stoppage incident and on staff training regarding public education and enforcement of the Sewer Use Ordinance.

D. City Manager Report

City Manager Ted Henry briefly reported on Code Enforcement case numbers and the City’s projected growth. Regarding growth, in the next 5-10 years the population could grow to about 14,000. The number of building permits issued continues to increase, from 58 in 2019 to an estimated 144 in 2024.

Finally, Mr. Henry reported on recent updates to the website. A new link to Notices and Publications has been added to the City’s website. He also reminded the Council about several upcoming events:

- April 20th, Celebrate Trees
- April 27th, Document Shredding & E-Recycling
- May 2nd -4th, Citywide Garage Sale weekend
- May 18th, Spring Curbside Clean-Up

XIII. 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 To Finance Acquiring Land, And Equipping And Constructing Buildings For Use In Industrial, Manufacturing, Warehouse, Distribution, Flex And/Or Office Purposes To Be Located Immediately Northeast Of The Intersection Of 53rd Street North And Webb Road In The City; And Authorizing Execution Of Related Documents (Aspen Funds, LLC).

MOTION: Councilmember Smith moved to approve A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Taxable Industrial Revenue Bonds To Finance Acquiring Land, And Equipping And Constructing Buildings For Use In Industrial, Manufacturing, Warehouse, Distribution, Flex And/Or Office Purposes To Be Located Immediately Northeast Of The Intersection Of 53rd Street North And Webb Road In The City; And Authorizing Execution Of Related Documents. Councilmember Welch seconded the motion. *Motion carried 4-0.*

B. Consideration of accepting a Bid for paving improvements to serve Cozy Drive. Bids were received from three companies:

	<u>Eng. Estimate</u>	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>
Base Bid	\$353,073.00	\$516,245.76	\$433,203.60	\$341,344.00
Alt 1 (Ditch)	\$35,568.75	\$36,857.80	\$40,129.30	\$16,641.50
Base + Alt 1	\$388,641.75	\$553,103.56	\$473,332.90	\$357,985.50
Alt 2 (Concrete)	\$16,484.00	\$61,152.00	\$45,864.00	\$28,224.00
Base + Alt 2	\$369,568.00	\$577,397.76	\$479,067.60	\$369,568.00
Base + Alt 1 & 2	\$405,105.75	\$614,255.56	\$519,196.90	\$386,209.50

MOTION: Councilmember Welch moved to accept the base bid from Pearson including Alternate 1 and Alternate 2, and the City will pay \$105,000 as agreed before, plus the cost of Alternate 1 for the total bid not-to-exceed \$386,209.50 and authorize the Mayor to sign. Councilmember Smith seconded the motion. *Motion carried 3-1*, with Councilmember Hamburg voting against the motion.

C. Consideration of a Bid for Paving Improvements to serve Aurora Park (40th & Parkwood). Bids were received from three companies:

	<u>Eng. Estimate</u>	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>
Base Bid	\$519,098.50	\$927,791.00	\$717,257.00	\$786,926.50
Alt 1: Intersection	(\$5,200.00)	(\$5,980.00)	(\$5,720.00)	(\$9,100.00)
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Base + Alt 2	\$620,453.50	\$1,183,493.00	\$890,834.00	\$1,124,464.50
Base + Alt 1 & 2	\$615,253.50	\$1,177,513.00	\$885,114.00	\$1,115,364.50
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Base + Alt 3	\$647,438.50	\$1,075,382.00	\$819,929.00	\$934,517.50
Base + Alt 1, 2 & 3	\$743,593.50	\$1,325,104.00	\$987,786.00	\$1,262,955.50

MOTION: Councilmember Welch moved to table the bids for the Aurora Park 40th and Parkwood paving and ditchwork (Item C). Councilmember Davied seconded the motion. *Motion carried 4-0.*

D. Consideration of accepting a quote for a 550 Crane Truck. Three quotes were received:

<u>Company</u>	<u>Purchasing Price</u>	<u>Wait Times</u>
Master Tech	\$187,857.00	Available Now
Pritchard Commercial	\$196,281.00	6-8 Months build time
Rush Truck Center	\$178,890.00	9-11 month build time

MOTION: Councilmember Welch moved to accept the quote from Master Tech at a cost not to exceed \$187,857.00 and authorize the City Manager to sign all related documents. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

XIV. EXECUTIVE SESSION

- A. **MOTION:** Councilmember Hamburg moved to go into executive session for the sole purpose of discussing the subject of: attorney-client consultation regarding contractual obligations pursuant to K.S.A. 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship. Invite the City Manager, Assistant City Manager, City Attorney, City Engineer and Neil Gosch. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:00 p.m. Councilmember Smith seconded the motion. *Motion carried 4-0.*

The Council then held an Executive Session. At 9:00 p.m., Mayor Benage called the meeting back to order and stated that no binding action had been taken.

XV. DISCUSSION AND FUTURE ISSUES: No other issues were discussed.

XVI. ADJOURNMENT

MOTION: Councilmember Smith moved to adjourn. Councilmember Davied seconded the motion. *Motion carried 4-0.*

PAVING PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

CHAPEL LANDING 6TH ADDITION

Lots 1 through 34, Block A

do hereby petition, pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

(a) That there be construction of pavement on Highland St and Highland Cir, from the south line of 53rd St N, south and southeasterly, to and including the cul-de-sac; and on Highland Ct (Lots 21 through 34, Block A), from the south line of Highland St, south, to and including the cul-de-sac.

That said pavement between aforesaid limits be constructed for a width of twenty-six (26) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty (30) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary.

(b) That the estimated and probable cost of the foregoing improvements being Six Hundred Twenty-Nine Thousand Dollars (\$629,000.00), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvements.

(c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Bel Aire incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Bel Aire to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

(d) That the method of assessment of all costs of the improvement or which the improvement district shall be liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 through 34, Block A, CHAPEL LANDING 6TH ADDITION shall each pay 1/34 of the total cost of the improvements.

In the event all or part of the lots or parcels in the improvement district are re-platted before assessments have been levied, the assessments against the re-platted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing body commences consideration of the petition or later than seven (7) days after filing, whichever comes first.

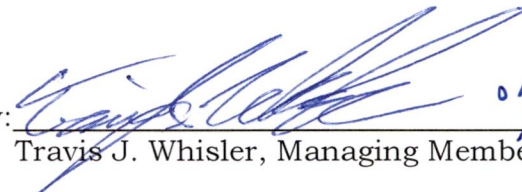
4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment

under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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CHAPEL LANDING 6TH ADDITION Lots 1 through 34, Block A	TW RENOVATIONS, LLC	
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By:  04/09/24
 Travis J. Whisler, Managing Member

THIS PETITION was filed in my office on _____, and was examined, considered and found sufficient by the Governing Body of the City on _____.

City Clerk

CHAPEL LANDING 6TH ADDITION

Wichita, Sedgwick County, Kansas

PAVING PETITION

Benefit District: (34 Lots)

Lots 1 Through 34, Block A

Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
A.C. Pavement	7325	S.Y.	\$50.00	\$366,250.00
Sidewalk	8850	S.F.	\$3.00	\$26,550.00
Inlet Hookups	8	EA.	\$750.00	\$6,000.00
Culvert Pipe	60	L.F.	\$200.00	\$12,000.00
End Section	4	L.F.	\$2,000.00	\$8,000.00
Rip Rap	60	S.Y.	\$60.00	\$3,600.00
Easement Grading	1	L.S.	\$5,000.00	\$5,000.00
Signage	1	L.S.	\$3,500.00	\$3,500.00
Erosion Control & Seeding	1	L.S.	\$10,000.00	\$10,000.00
Site Clearing & Restoration	1	L.S.	\$25,000.00	\$25,000.00
Subtotal				\$465,900.00
+ 35% Design, Insp., & Administration				\$163,065.00
Total				\$628,965.00

Petition Amount	\$629,000
Average Cost Per Lot	\$18,500
Average Monthly Assessment	\$146 (Based on 15 years @ 5%)
Average Monthly Assessment	\$122 (Based on 20 years @ 5%)

SANITARY SEWER PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

CHAPEL LANDING 6TH ADDITION

Lots 1 through 34, Block A

do hereby petition pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

- (a) That there be constructed a lateral sanitary sewer 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.
- (b) That the estimated and probable cost of the foregoing improvements being Four Hundred Thirty-Six Thousand Dollars (\$436,000.00), with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvements.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Bel Aire incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Bel Aire to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

(d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 through 34, Block A, CHAPEL LANDING 6TH ADDITION shall each pay 1/34 of the total cost of the improvements.

In the event all or part of the lots or parcels in the improvement district are re-platted before assessments have been levied, the assessments against the re-platted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. (a) It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

(b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 13-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use if and when such improvements are necessary to serve any building which may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
-------------------	-----------	------

CHAPEL LANDING 6TH ADDITION Lots 1 through 34, Block A	TW RENOVATIONS, LLC	
---	---------------------	--

By:  04/09/24
Travis J. Whisler, Managing Member

THIS PETITION was filed in my office on _____, and was examined, considered and found sufficient by the Governing Body of the City on _____.

City Clerk

CHAPEL LANDING 6TH ADDITION

Wichita, Sedgwick County, Kansas

SANITARY SEWER PETITION

Benefit District: (34 Lots)

Lots 1 Through 34, Block A

Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	2575	L.F.	\$45.00	\$115,875.00
Manhole	15	EA.	\$4,500.00	\$67,500.00
Manhole Adjustment	1	EA.	\$2,000.00	\$2,000.00
Risers	68	EA.	\$1,250.00	\$85,000.00
Stub	1	EA.	\$500.00	\$500.00
Flowable Fill	160	L.F.	\$100.00	\$16,000.00
Sand Backfill (Flushed & Vib.)	775	L.F.	\$20.00	\$15,500.00
Connect to Existing	1	L.S.	\$2,500.00	\$2,500.00
Seeding & Erosion Control	1	L.S.	\$3,000.00	\$3,000.00
Site Clearing and Restoration	1	L.S.	\$15,000.00	\$15,000.00
Subtotal				\$322,875.00
+ 35% Design, Insp., & Administration				\$113,006.25
Total				\$435,881.25

Petition Amount	\$436,000
Average Cost Per Lot	\$12,824
Average Monthly Assessment	\$101 (Based on 15 years @ 5%)
Average Monthly Assessment	\$85 (Based on 20 years @ 5%)

STORM WATER SEWER PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

CHAPEL LANDING 6TH ADDITION

Lots 1 through 34, Block A

do hereby petition pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended:

(a) That there be constructed a storm water sewer system 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.

(b) That the estimated and probable cost of the improvements is Six Hundred Twenty-One Thousand Dollars (\$621,000.00) exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of one percent per month from and after the date of adoption of a resolution authorizing the Improvements.

(c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Bel Aire incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Bel Aire to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

(d) That the method of assessment of all costs of the improvements for which the improvement district is liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 through 34, Block A, CHAPEL LANDING 6TH ADDITION shall each pay 1/34 of the total cost of the improvements.

In the event all or part of the lots or parcels in the improvement district are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

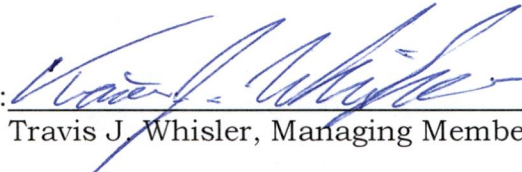
2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature to form one public improvement project.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use if and when such improvements are necessary to serve any building that may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
CHAPEL LANDING 6TH ADDITION Lots 1 through 34, Block A	TW RENOVATIONS, LLC	

By:  04/09/24
 Travis J. Whisler, Managing Member

THIS PETITION was filed in my office on _____, and was examined, considered and found sufficient by the Governing Body of the City on _____.

City Clerk

CHAPEL LANDING 6TH ADDITION

Wichita, Sedgwick County, Kansas

STORM WATER SEWER PETITION

Benefit District: (34 Lots)

Lots 1 Through 34, Block A

Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
Excavation	50000	C.Y.	\$3.00	\$150,000.00
Mass Grading	1	L.S.	\$40,000.00	\$40,000.00
15" Pipe	1150	L.F.	\$50.00	\$57,500.00
18" Pipe	200	L.F.	\$55.00	\$11,000.00
24" Pipe	800	L.F.	\$70.00	\$56,000.00
Backyard Inlets/Manholes	10	EA.	\$3,500.00	\$35,000.00
End Section	4	EA.	\$1,750.00	\$7,000.00
Curb Inlets	8	EA.	\$6,000.00	\$48,000.00
Sand Backfill	120	L.F.	\$30.00	\$3,600.00
Rip Rap	200	S.Y.	\$70.00	\$14,000.00
Testing	1	L.S.	\$7,500.00	\$7,500.00
Seeding & Erosion Control	1	L.S.	\$10,000.00	\$10,000.00
Site Clearing and Restoration	1	L.S.	\$20,000.00	\$20,000.00
Subtotal				\$459,600.00
+ 35% Design, Insp., & Administration				\$160,860.00
Total				\$620,460.00

Petition Amount	\$621,000
Average Cost Per Lot	\$18,265
Average Monthly Assessment	\$144 (Based on 15 years @ 5%)
Average Monthly Assessment	\$121 (Based on 20 years @ 5%)

WATER DISTRIBUTION SYSTEM PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

CHAPEL LANDING 6TH ADDITION

Lots 1 through 34, Block A

do hereby petition, pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

(a) That there be constructed a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances 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.

(b) That the estimated and probable cost of the foregoing improvements being Two Hundred Twenty-Four Thousand Dollars (\$224,000.00), with 100 percent of the total cost payable by the improvement district. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the project, and also may be increased at the pro rata rate of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvements.

(c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Bel Aire incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Bel Aire to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said

improvement shall be assessed to the property described above in accordance with the terms of this petition.

(d) That the method of assessment of all costs of the improvement or which the improvement district shall be liable shall be on a fractional basis.

The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 through 34, Block A, CHAPEL LANDING 6TH ADDITION shall each pay 1/34 of the total cost of the improvements.

In the event all or part of the lots or parcels in the improvement district are re-platted before assessments have been levied, the assessments against the re-platted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
CHAPEL LANDING 6TH ADDITION Lots 1 through 34, Block A	TW RENOVATIONS, LLC	

By:  04/09/24
 Travis J. Whisler, Managing Member

THIS PETITION was filed in my office on _____, and was examined, considered and found sufficient by the Governing Body of the City on _____.

City Clerk

CHAPEL LANDING 6TH ADDITION

Wichita, Sedgwick County, Kansas

WATER PETITION

Benefit District: (34 Lots)
 Lots 1 Through 34, Block A

Cost Estimate

Item	Quantity	Unit	Unit Price	Amount
8" Pipe	2450	L.F.	\$45.00	\$110,250.00
Fire Hydrants	3	EA.	\$6,000.00	\$18,000.00
Temporary Blowoff	2	EA.	\$1,250.00	\$2,500.00
Valves	3	EA.	\$2,000.00	\$6,000.00
Test Stations	2	EA.	\$5,000.00	\$10,000.00
Sand Backfill (Flushed & Vib.)	170	L.F.	\$20.00	\$3,400.00
Connect to Existing	1	L.F.	\$2,500.00	\$2,500.00
Seeding & Erosion Control	1	L.S.	\$3,000.00	\$3,000.00
Site Clearing and Restoration	1	L.S.	\$10,000.00	\$10,000.00
Subtotal				\$165,650.00
+ 35% Design, Insp., & Administration				\$57,977.50
Total				\$223,627.50

Petition Amount	\$224,000
Average Cost Per Lot	\$6,588
Average Monthly Assessment	\$52 (Based on 15 years @ 5%)
Average Monthly Assessment	\$43 (Based on 20 years @ 5%)

Gilmore & Bell, P.C.
04/29/2024

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 7, 2024**

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)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

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

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. R-24-_____ and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon 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

Gilmore & Bell, P.C.
04/29/2024

(Published in *The Ark Valley News* on May __, 2024)

RESOLUTION NO. R-24-_____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements:

That there be constructed pavement on Highland St. and Highland Cir., from the south line of 53rd St N, south and southeasterly, to and including the cul-de-sac; and on Highland Ct. (Lots 21 through 34, Block A), from the south line of Highland St., south, to and including the cul-de-sac.

That said pavement between aforesaid limits be constructed for a width of twenty-six (26) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty (30) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary.

(b) The estimated or probable cost of the Improvements is: \$629,000. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after May 7, 2024.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement or which the Improvement District shall be liable shall be on a fractional basis. The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size and/or value: Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas, shall each pay 1/34 of the total assessed cost of the Improvements.

In the event all or part of the lots or parcels in the Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be calculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other Improvements.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of this Resolution. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

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ADOPTED by the governing body of the City on May 7, 2024.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on May 7, 2024 as the same appears of record in my office.

DATED: May 7, 2024.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
04/29/2024

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 7, 2024**

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)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

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

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. R-24-_____ and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon 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

Gilmore & Bell, P.C.
04/29/2024

(Published in *The Ark Valley News* on May __, 2024)

RESOLUTION NO. R-24-_____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements:

That there be constructed a lateral sanitary sewer to serve the area described below, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

(b) The estimated or probable cost of the Improvements is: \$436,000. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after May 7, 2024.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement or which the Improvement District shall be liable shall be on a fractional basis. The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size

and/or value: Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas, shall each pay 1/34 of the total assessed cost of the Improvements.

In the event all or part of the lots or parcels in the Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be calculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of this Resolution. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on May 7, 2024.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on May 7, 2024 as the same appears of record in my office.

DATED: May 7, 2024.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
04/29/2024

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 7, 2024**

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)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER SEWER IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

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

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. R-24-_____ and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon 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

Gilmore & Bell, P.C.
04/29/2024

(Published in *The Ark Valley News* on May __, 2024)

RESOLUTION NO. R-24-_____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (STORM WATER SEWER IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements:

That there be constructed a storm water sewer system to serve the area described below, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

(b) The estimated or probable cost of the Improvements is: \$621,000. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after May 7, 2024.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement or which the Improvement District shall be liable shall be on a fractional basis. The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size

and/or value: Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas, shall each pay 1/34 of the total assessed cost of the Improvements.

In the event all or part of the lots or parcels in the Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be calculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of this Resolution. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

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ADOPTED by the governing body of the City on May 7, 2024.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on May 7, 2024 as the same appears of record in my office.

DATED: May 7, 2024.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
04/29/2024

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 7, 2024**

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)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION IMPROVEMENTS/ CHAPEL LANDING 6TH ADDITION).

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

Yea: _____.

Nay: _____.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. R-24-_____ and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon 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

Gilmore & Bell, P.C.
04/29/2024

(Published in *The Ark Valley News* on May __, 2024)

RESOLUTION NO. R-24-_____

RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION IMPROVEMENTS/CHAPEL LANDING 6TH ADDITION).

WHEREAS, a Petition was filed with the City Clerk of the City of Bel Aire, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.* (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements:

That there be constructed a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances to serve the area described below, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

(b) The estimated or probable cost of the Improvements is: \$224,000. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after May 7, 2024.

(c) The extent of the improvement district (the "Improvement District") to be assessed for the cost of the Improvements is:

Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement or which the Improvement District shall be liable shall be on a fractional basis. The fractional shares provided for herein have been determined on the basis of equal shares being assessed to lots or parcels of substantially comparable size

and/or value: Lots 1 through 34, Block A; Chapel Landing 6th Addition, to the City of Bel Aire, Sedgwick County, Kansas, shall each pay 1/34 of the total assessed cost of the Improvements.

In the event all or part of the lots or parcels in the Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be calculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of this Resolution. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in *Section 1* of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on May 7, 2024.

(SEAL)

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on May 7, 2024 as the same appears of record in my office.

DATED: May 7, 2024.

Melissa Krehbiel, Clerk



CITY OF BEL AIRE



APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 1/29/2024

Square footage of Structure: 4500

OFFICE USE ONLY

APPLICATION REVIEWED AND:

APPROVED _____ DENIED _____

Permit Fee: \$4,500 Receipt # 1884170

County Application _____

Permit # _____

Acceptance/Denial Letter Date: _____

Dates of Operation: June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

All Applications must be accompanied with:

- 1) permit fee
- 2) a copy of Sedgwick Co. Fire Dept. tent application
- 3) Insurance certificate(s) including:
 - General comprehensive liability insurance, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
 - Product liability insurance, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

APPLICATION IS MADE BY: Individual Partnership Corporation Non-profit

LOCATION REQUESTED: 9745 East 50th Street North
Bel Aire, Kansas 67226

LOCAL SPONSOR: _____

ORGANIZATION/BUSINESS Waz Up Fireworks, LLC

ADDRESS: 9745 East 50th Street North
Bel Aire, Kansas 67226

NAME & PHONE NUMBER OF RESPONSIBLE PARTY Michael Joseph Wawrzewski III

KS STATE SALES TAX # 004-861844892-F01

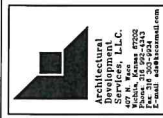
EMAIL ADDRESS mike@wazupfireworks.com

SIGNATURE OF RESPONSIBLE PARTY _____ DATE 1/29/2024

*PD 1/29/24
WJW 1/29/24
\$4500.00*

APPROVED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 20____.

CITY CLERK asnell
CODE ENFORCEMENT OFFICER

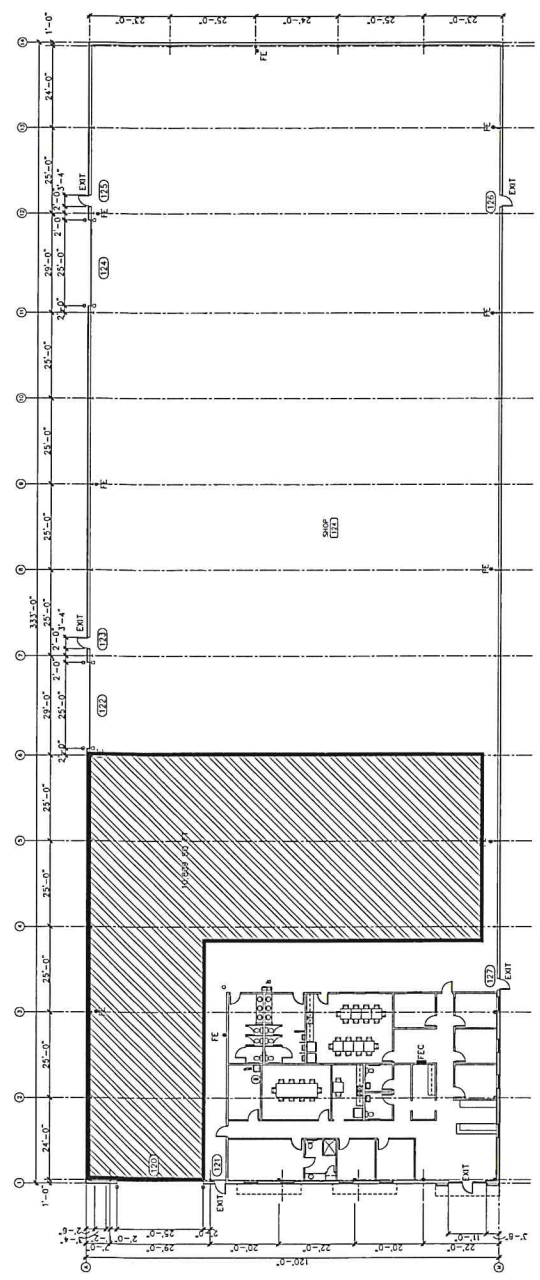


Clinic In A Can
Manufacturing Facility
9615 E. 50th Street North
Bel Air, Kansas

PERMITS ISSUED
6-15-24
For Construction

PROJECT NO.
20106
Sheet RAC check

OVERALL
FLOOR PLAN
A1
of



WALL MOUNTED FIRE EXTINGUISHERS (FE)
IN SHOP SHALL BE 4A-10BC PER UIC
FIRE EXTINGUISHERS IN CABINETS (FEC)
IN OFFICE SHALL BE 2A-10BC PER UIC

(A) OVERALL FLOOR PLAN
1/8" = 1' - 0"

*Start totally removed
SCFD 6.1.24 - 7.15.24*



CITY OF BEL AIRE



APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 1-16-2024

Square footage of Structure: 6500

OFFICE USE ONLY

APPLICATION REVIEWED AND:

APPROVED _____ DENIED _____

Permit Fee: \$6,500 Receipt # 683376

County Application N/A

Permit # _____

Acceptance/Denial Letter Date: _____

Dates of Operation: June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under. Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

All Applications must be accompanied with:

- 1) **permit fee**
- 2) **a copy of Sedgwick Co. Fire Dept. tent application (if applicable)**
- 3) Site diagram (including all signage)
- 4) **Insurance certificate(s) including:**
 - General comprehensive liability insurance**, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
 - Product liability insurance**, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED: 6334 E Crestmark Street Bel Aire, KS

APPLICANT NAME: Jacob Marietta or Lynette White

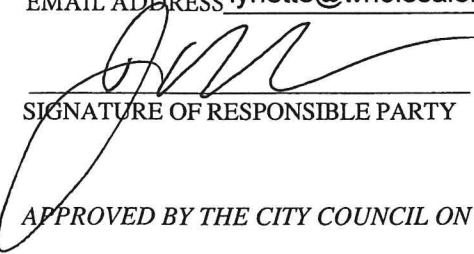
ORGANIZATION/BUSINESS Wholesale Fireworks Enterprises LLC

ADDRESS: PO Box 780604 Wichita, KS 67278

NAME & PHONE NUMBER OF RESPONSIBLE PARTY Jacob Marietta 316-733-7900
Lynette White 316-733-7900

KS STATE SALES TAX # 004-204183606F-01

EMAIL ADDRESS lynette@wholesalefireworks.com


SIGNATURE OF RESPONSIBLE PARTY

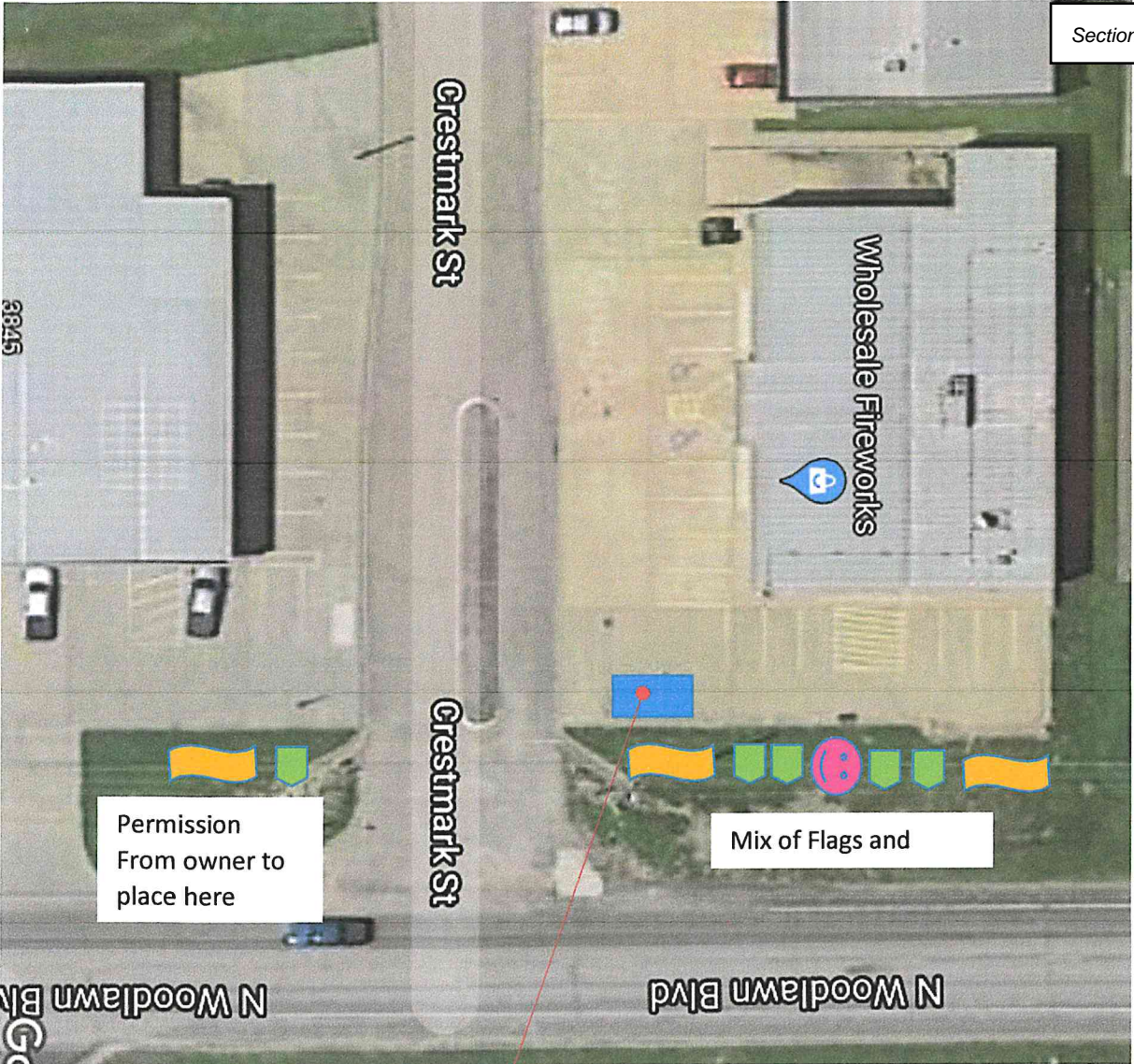
1-16-2024
DATE

APPROVED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 20____.

CITY CLERK

Conditional  1.19.24
CODE ENFORCEMENT OFFICER

Wholesale Fireworks Sign Plan 2024



Bob Inflatible Man - 1



Feathered Flags - 10



Staked Ground Signs - 15

Portable LED Sign - 1

CITY OF BEL AIRE		
AP ORD 2024-08		
Vendor & Payroll Checks 04/09-04/30/2024		
AFLAC	EMPLOYEE MONTHLY PREMIUM	\$ 880.88
ALDI	EMPLOYEE RECOG-TY'S RECEPTION	\$ 20.97
AMAZON	OFFICE SUPPLIES/EQUIP	\$ 1,840.41
ARK VALLEY NEWS	BREEZE AD	\$ 798.60
AT&T - U-VERSE	INTERNET BACKUP	\$ 150.00
BANK OF NEW YORK	541071:04/24 O&M /DEBT SVC	\$ 193,676.47
BEALL & MITCHELL, LLC	MONTHLY COURT DATE X2	\$ 1,237.98
BLUE CROSS AND BLUE SHIEL	05/24 ID:0421210	\$ 52,565.04
CBK-COLLECTION BUREAU KS	OVERPAYMENT CBK ID 391248-1	\$ 44.50
CCMFOA OF KANSAS	CCMFOA MEMBERSHIP - MELISSA	\$ 75.00
CHARLIES CAR WASH	FLEET CAR WASH	\$ 110.00
CHERIS BAKERY	EMPLOYEE RECOG-TY'S RECEPTION	\$ 145.50
CHICK-FIL-A	SENIOR DINNER	\$ 391.00
CHISHOLM CREEK UTILITY AU	04/24 CCUA CONTINGENCY	\$ 5,820.00
CINTAS CORPORATION	PD MATS/ PW UNIFORMS/SHOP TOWELS	\$ 2,508.30
CINTAS FIRST AID & SAFETY	PD:RESTOCK FIRST AID	\$ 462.25
CITY BLUE PRINT	GRADE LASER & SUPPLIES	\$ 3,317.99
CITY OF BEL AIRE	BACKFLOW FEE REF TO UB ACCTS	\$ 50.00
COMPLETE KEY AND LOCK	PD REKEY/DUP KEY X3	\$ 290.00
CONFECTIONS OF A MIDNIGHT	EMPLOYEE RECOG-TY'S RECEPTION	\$ 156.00
CORE & MAIN LP	WATER SYS MAINT/REPAIR SUPPLIES	\$ 2,148.30
COX COMMUNICATIONS	INTERNET/PHONE SVC	\$ 1,474.34
CRAFCO	STREET MATERIAL SUPPLIES	\$ 3,209.10
CREATIVE AWARDS & SCREEN	EMPLOYEE RECOG-TY/TRISTIN	\$ 192.25
CULLIGAN OF WICHITA	WATER SERVICE	\$ 70.45
CYRUS HOTEL	PD TRAINING	\$ 378.13
DIGITAL OFFICE SYSTEMS	PD COPIER	\$ 42.00
DILLONS	EMPLOYEE OF THE QUARTER	\$ 150.40
DONDLINGER & SONS CONSTRU	SUNFLOWER COMM PUB INFRAS PH 1	\$ 254,468.70
EMC INSURANCE COMPANIES	LIABILITY INSURANCE PREM	\$ 217,885.00
EMPAC	EMPLOYEE ASSIST PROG:QTR #2	\$ 365.70
EMPOWER RETIREMENT 457	EMP VLNTRY 457	\$ 1,124.00
EVERGREEN RECYCLE	MARCH MULCH/BRUSH DISPOSAL 25300LB	\$ 312.00
EVERGY	ELEC SVC:CITY BLDGS	\$ 8,514.52
EXPERT AUTO CENTER	PW VEHICLE REPAIR	\$ 261.50
FEDEX	UAC BACKFLOW POSTER	\$ 52.30
FICA/FEDERAL W/H	FED/FICA TAX	\$ 65,147.95
FIRESTONE	FLEET MAINTENANCE #35	\$ 539.96
FIZZ BURGERS & BOTTLES	LUNCH MEETING WITH ATTY	\$ 35.00
FREMAR CORPORATION	ROCK/SAND/SOIL MATERIAL 36TN	\$ 833.18
FREUND, ASHLEY	SPORTS PROGRAM REFUND	\$ 75.00
GALAXIE BUSINESS EQUIPMEN	PW FURNITURE	\$ 1,915.00

GALLS, LLC	UNIFORM/ACCESSORIES & SUPPLIES	\$ 278.28
GARVER	CEDAR PASS ADD PH 1 PAVE CONST	\$ 9,139.02
HARBOR FREIGHT	FURNITURE DOLLIES X2	\$ 69.98
HARDWICK, ANTHONY	YOUTH SPORTS OFFICIAL	\$ 21.00
HAWKS INTER-STATE PESTMAS	04/24:PEST CONTROL; REC/CH	\$ 182.52
HEART OF AMERICA CHAPTER	TRAINING-ETHAN	\$ 100.00
HERRINGTON, DAMON	BUSINESS LICENSE REFUND	\$ 35.00
HOLLOW METAL DOOR COMPANY	PUMPHOUSE METAL DOOR INSTALL	\$ 4,984.00
IMAGINE IT, INC	COMPUTER SUPPORT SERVICE	\$ 9,636.31
INDEED	JOB POSTING	\$ 636.04
INFOSEND	MAR UTILITY BILL/LATE NOTICE/INSERT	\$ 2,059.98
INTERLINGUAL INTERPRETING	COURT INTERPRETER 03/06/24	\$ 127.52
IWORQ SYSTEMS, INC	PZ PERMITTING SOFTWARE 2024	\$ 13,646.00
JAY C HINKEL	LEGAL ADVISING	\$ 2,235.75
JOHNSON CONTROLS	FIRE ALARM MONITORING:CH	\$ 1,785.13
KANSAS GAS	GAS SVC	\$ 1,278.43
KANSAS ONE-CALL SYSTEMS	LOCATE FEES:432 FOR 03/24	\$ 518.40
KANSAS PAVING	STREET PATCHING	\$ 49,840.00
KANSAS RURAL WATER ASN	CONFERENCE FEES	\$ 585.00
KANSAS TURNPIKE AUTHORIT	TOLLS TY, CHIEF, PW	\$ 34.85
KANZA CO-OPERATIVE ASSOC	BULK FUEL & DIESEL	\$ 1,523.24
KIRBY, BRENNAN	YOUTH SPORTS OFFICIAL	\$ 48.00
KIRBY, WILLOW	YOUTH SPORTS OFFICIAL	\$ 36.00
KS ASSOC COURT MANAGEMENT	KACM MEMBERSHIP - DAWN	\$ 50.00
KS DEPT H/E:ANALYTICAL SV	1ST QTR 2024 ANALYTICAL SVC	\$ 360.00
KS DEPT REV:WITHHOLDING T	STATE TAX	\$ 11,007.58
KS DEPT REVENUE:TAXATION	WATER FEES	\$ 2,815.65
KS DEPT TRANSPORTATION	RAIL SPUR LOAN PYMNT #104	\$ 3,877.06
KS PUBLIC EMPL RETIRE SYS	KP&F	\$ 48,390.32
KS TREASURER - BOND SVC	GO BONDS	\$ 536,491.42
KS TREASURER - COURT FEES	COURT FEES	\$ 5,167.69
LEAGUE OF KS MUNICIPALITI	KORA WEBINAR-TED	\$ 75.00
LEASE FINANCE PARTNERS	36822QT:04/24:PD COPIER	\$ 141.63
MARTIN PRINGLE	WICHITA HOOPS-BANKRUPTCY	\$ 29.00
MASTER TECH TRUCK & EQUIP	2023 550 CRANE TRUCK	\$ 187,857.00
MAYER EQUIPMENT AND SUPPL	EASEMENT RENTAL SEWER CLEANING	\$ 1,399.50
MCDONALDS	EMPLOYEE RECOGNITION BREAKFAST	\$ 236.37
MID WEST PLASTERING LLC	POOL REPLASTER	\$ 61,940.00
MIDWEST GARAGE LLC	ONE PILL CAN KILL WRAP SRO CAR	\$ 1,650.00
MID-WEST RAILROAD CONSTR	ANNUAL RAIL TRACK INSPECTION	\$ 980.00
MOAB BBQ	EMPLOYEE RECOG-TY'S RECEPTION	\$ 815.00
MULLENS CARPET CLEANING	COMMUNITY ROOM STAGE CARPET CLEAN	\$ 150.00
MUNICIPAL SUPPLY INC	WATER METER SUPPLIES	\$ 525.82
NATIONAL ALLIANCE FOR YOU	WHJBSL COACH CERTIFICATION	\$ 185.00
NEARMAP US, INC	PW GIS SUBSCRIPTION	\$ 6,000.00

OPIES SPRINKLER SERVICE	BACKFLOW FILING FEE REFUNDS	\$ 30.00
OREILLY AUTO PARTS	AUTO REPAIRS/SUPPLIES	\$ 305.37
P4 FIREARMS	SHOTGUN FOR PATROL VEHICLE	\$ 469.00
PACE ANALYTICAL SERVICES	SW:SUSPENDED SOLIDS TESTING	\$ 2,399.80
PAYLOCITY	FSA EMPLOYEE EXPENSE	\$ 1,003.51
PEC	PLANNING ON-CALL	\$ 12,712.99
PITNEY BOWES	POSTAGE REFILL	\$ 500.00
PIZZA HUT	PW LUNCH TRAINING	\$ 93.94
PUBLIC WORKS & UTILITIES	750 GAL:02/29-03/31/24	\$ 2.51
PYE-BARKER FIRE & SAFETY	POOL:FIRE EXT INSP/CERT ANNUAL	\$ 421.65
QUILL CORP	OFFICE SUPPLIES/EQUIP	\$ 204.63
SALTUS TECHNOLOGIES	DIGITICKET ANNUAL FEES	\$ 1,520.64
SAMS CLUB	SPRING CAMP SUPPLIES	\$ 870.63
SHELL, MASON	ARIDE CONFERENCE	\$ 123.00
SCHROCK, MARIA	MEDIA & LAW SEMINAR PER DIEM	\$ 571.44
SEDG CO DEPT FINANCE/JAIL	03/24 PRISONER HOUSING FEES	\$ 409.70
SEDG CO REGISTER OF DEEDS	WILLOWROCK TERM AGREEMENT	\$ 106.00
SHANNON, DOMINIQUE	RESTITUTION 2023-1308	\$ 47.50
SILVER STATE CONSULTING	SUMNER COUNTY TRAINING	\$ 175.00
SIMPLE CLEAN	05/24 JANITORIAL SVC:CH	\$ 2,824.60
STARBUCKS	EMPLOYEE OF THE QUARTER	\$ 29.50
SUMNERONE	REC COPIER OVRAGE 51E2131	\$ 631.63
SUN LIFE FINANCIAL - VOLU	05/24 VOLUNTARY LIFE PYMNT	\$ 454.74
SYDNEY MARTENS	RESTITUTION PYT 5	\$ 150.00
THE HOME DEPOT	SHOP TOOLS	\$ 639.81
TREE TOP NURSERY A	BACKFLOW FILING FEE REFUNDS	\$ 20.00
TRIPLETT,WOOLF&GARRETSON	WOODLAWN PROJECT MATTERS	\$ 11,574.00
TYLER TECHNOLOGIES INC	PROJECT MANAGEMENT	\$ 7,045.00
UNITED INDUSTRIES INC	POOL:CHEMICALS	\$ 2,307.50
UNIVERSITY OF KANSAS	MEDIA & LAW ANNUAL SEMINAR REG	\$ 350.00
UNRUH EXCAVATING	SUNFLOWER COMM GRADING/EROSION	\$ 106,164.80
USPS	BACKFLOW LETTERS-POSTAGE	\$ 462.94
UTILITY MAINTENANCE CONTR	HILLCREST WA MAIN REPLACEMENT	\$ 110,173.50
UTILITY SERVICE CO., INC	S WATER TOWER CONTRACT	\$ 5,045.50
VISION ALLIANCE MARKETING	03/24 COURT SERVICES OFFICER	\$ 400.00
WADE, TERESA	TAEKWONDO INSTRUCTOR	\$ 160.00
WALMART	SPRING CAMP SUPPLIES	\$ 120.85
WASTE CONNECTIONS	03/24 RECYCLE OR TRASH SVC	\$ 44,883.46
WEST BEND MUTUAL	POLICY#2081147:SPEC EVENTS INS	\$ 299.00
WESTERN ASSOCIATES	SALES TAX REFUND (COUNCIL CLOTHING)	\$ (47.44)
WEX BANK	FLEET FUEL	\$ 3,850.30
WHITE STAR MACHINERY	BOBCAT REPAIRS	\$ 572.38
WICHITA TRACTOR	NEW TRACTOR BELTS	\$ 269.92
WILLIAMS JANITORIAL SUPPL	JANITORIAL SUPPLIES	\$ 201.25
WSU-CEDBR	CBA-WALTONS	\$ 1,980.00

WSU-CONTINUING ED	KSGFOA REGISTRATION-BARRY	\$ 135.00
PAYROLL CHECKS	PAYROLL CHECKS ON 04/10/2024	\$ 95,212.31
PAYROLL CHECKS	PAYROLL CHECKS ON 04/24/2024	\$ 80,277.68
	CLAIMS TOTAL	\$ 2,291,672.24



4-30-24

Approved



CITY OF BEL AIRE



APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 2-14-24
 Square footage of Structure: TBA (1,500) sq ft

OFFICE USE ONLY

APPLICATION REVIEWED AND:
 APPROVED _____ DENIED _____

Permit Fee: _____ Receipt # _____

County Application _____

Permit # _____

Acceptance/Denial Letter Date: _____

Dates of Operation: June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under. Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

All Applications must be accompanied with:

- 1) **permit fee**
- 2) **a copy of Sedgwick Co. Fire Dept. tent application (if applicable)**
- 3) **Site diagram (including all signage)**
- 4) **Insurance certificate(s) including:**

-**General comprehensive liability insurance**, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND

-**Product liability insurance**, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED: To be determined

APPLICANT NAME: GARY O'NEAL

ORGANIZATION/BUSINESS: Bel Aire Lions Club

ADDRESS: 4967 N. Hillcrest

NAME & PHONE NUMBER OF RESPONSIBLE PARTY: GARY O'NEAL 316-655-5502

KS STATE SALES TAX #: _____

EMAIL ADDRESS: gopapa440@yahoo.com

Gary O'Neal 2-14-24
 SIGNATURE OF RESPONSIBLE PARTY DATE

APPROVED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 20____.

CITY CLERK

CODE ENFORCEMENT OFFICER



CITY OF BEL AIRE



APPLICATION FOR RETAIL SALES OF FIREWORKS

Date of Application: 3/1/24
 Square footage of Structure: 1800

OFFICE USE ONLY

APPLICATION REVIEWED AND:
 APPROVED _____ DENIED _____

Permit Fee: _____ Receipt # _____

County Application _____

Permit # _____

Acceptance/Denial Letter Date: _____

Dates of Operation: June 27 through July 4 of the same year as date of application

Fireworks may be sold from **8:00 a.m. – 10:00 p.m. only**

Permit fees are \$2,500 for structures of 2,500 square feet & under
Structures in excess of 2,500 square feet shall be \$1.00 per square foot.

All Applications must be accompanied with:

- 1) **permit fee**
- 2) **a copy of Sedgwick Co. Fire Dept. tent application (if applicable)**
- 3) Site diagram (including all signage)
- 4) **Insurance certificate(s) including:**
 - General comprehensive liability insurance**, minimum coverage of \$500,000 per occurrence, with the City of Bel Aire, Kansas, named as an additional insured; AND
 - Product liability insurance**, minimum coverage of \$500,000 per occurrence for products sold and/or stored within the city by the vendor

LOCATION REQUESTED: 4501 N. OLIVER

APPLICANT NAME: Dennis FRASCO

SHOCKER FIREWORKS
ORGANIZATION/BUSINESS ~~4127 CIMARRON STREET~~ Wichita Ks 67205

ADDRESS: 4618 N. CIMARRON CIRCLE WICHITA KS 67205

NAME & PHONE NUMBER OF RESPONSIBLE PARTY DENNIS 304-6540

KS STATE SALES TAX # 004-010927972 F-02

EMAIL ADDRESS dFRASCO2624@GMAIL.COM

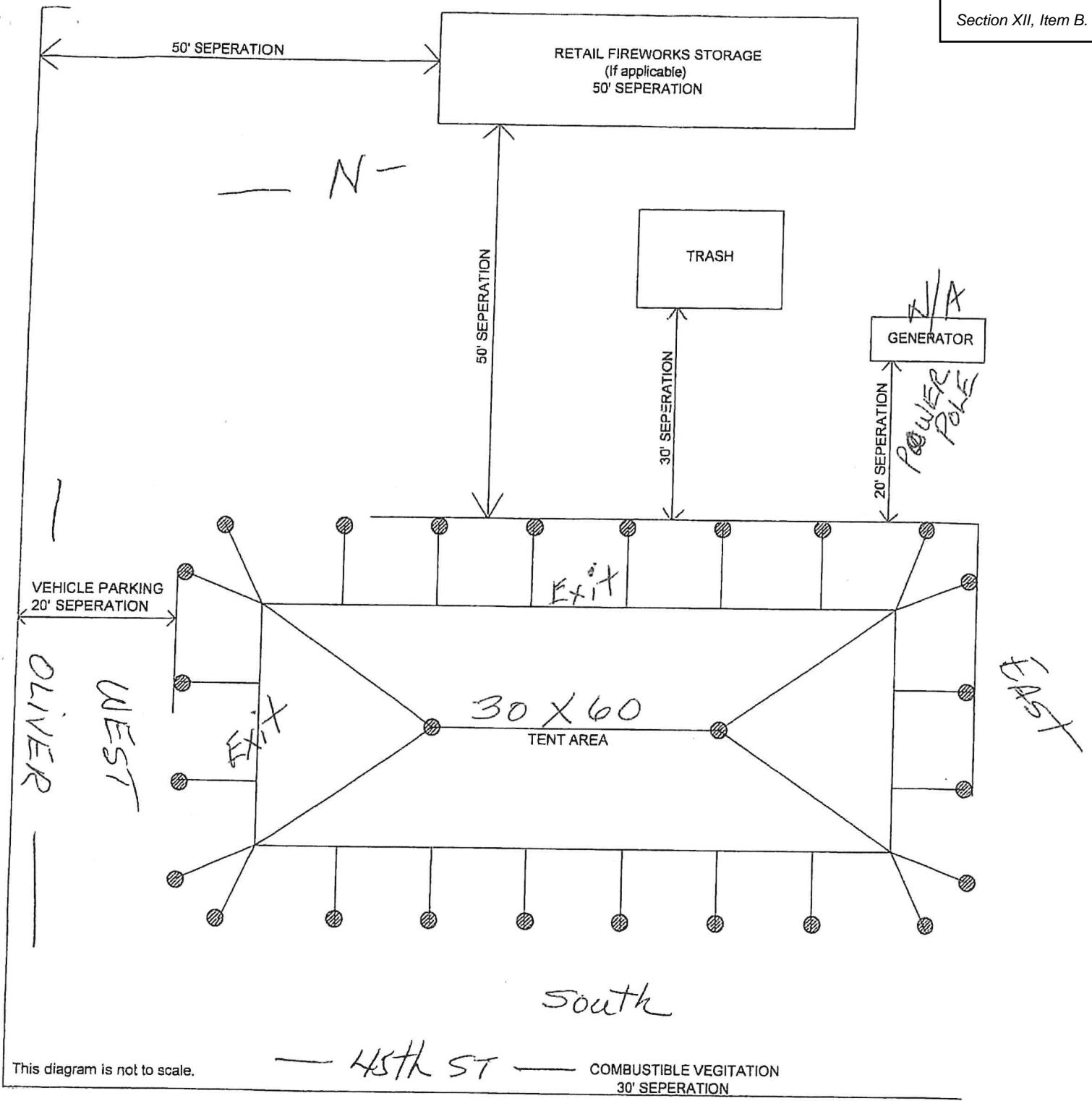
Dennis Frasco
SIGNATURE OF RESPONSIBLE PARTY

3/1/24
DATE

APPROVED BY THE CITY COUNCIL ON THIS _____ DAY OF _____, 20____.

CITY CLERK

Conditional
CODE ENFORCEMENT OFFICER



This diagram is not to scale.

— 45th ST — COMBUSTIBLE VEGETATION
30' SEPERATION

No SIGNAGE - Except Tent Logo

THIS IS AN EXAMPLE OF A SITE PLAN & THE REQUIRED DISTANCES FOR TENTS.

- BLACK CAT -

SUPPORT ROPES & GUY WIRES ARE CONSIDERED TO BE PART OF THE TENT.

A complete list of the code requirements can be found in the 2018 International Fire Code, Chapter 31

[Tenant's Letterhead]

April ____, 2024

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

Security Bank of Kansas City
701 Minnesota Avenue, Suite 206
Kansas City, Kansas 66101

Re: City of Bel Aire, Kansas
Industrial Revenue Bonds, Series A, 2013 and Series B, 2013
(Concierge Surgical Recovery Center Project)

Ladies and Gentlemen:

This is to advise that North Webb, LLC elects to exercise the option to purchase the Project as described in Section 17.1 of the Lease between the City of Bel Aire, Kansas, as Issuer, and North Webb, LLC, a Kansas limited liability company, as Tenant, as authorized by Ordinance No. 519 of the Issuer. Closing is proposed to be on May 15, 2024.

Very truly yours,

NORTH WEBB, LLC

By: _____
Name:
Title:

Gilmore & Bell, P.C.
04/15/2024

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON MAY 7, 2024**

The governing body met in regular session at the usual meeting place in the city on May 7, 2024, 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 AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN
PROPERTY TO NORTH WEBB, LLC**

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. _____ 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 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.
04/15/2024

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF BEL AIRE, KANSAS AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO NORTH WEBB, LLC

WHEREAS, pursuant to Ordinance No. 519 and the Ordinance dated as of January 8, 2013, the City of Bel Aire, Kansas (the "Issuer") has previously issued its Industrial Revenue Bonds, Series A, 2013 and Series B, 2013 (Concierge Surgical Recovery Center Project) in the original aggregate principal amount of \$4,745,000 (the "Bonds") to finance the cost of acquiring, constructing and equipping a certain facility to be used for commercial purposes (the "Project"), such Project having been leased to North Webb, LLC, a Kansas limited liability company, as successor to Concierge Surgical Recovery Center, LLC (the "Tenant"), pursuant to a Lease dated as of May 6, 2013 between the City and the Tenant (the "Lease"); and

WHEREAS, the Tenant desires to exercise its option to purchase the Project under Section 17.1 of the Lease and is not in default under the Lease; and

WHEREAS, the Tenant has made all the payments of Basic Rent and Additional Rent pursuant to the Lease and all principal and interest on the Bonds has been paid or payment has been provided for; and

WHEREAS, Security Bank of Kansas City, Kansas City, Kansas, as trustee for the Bonds, has certified that no Bonds remain outstanding; and

WHEREAS, the Tenant has provided the City written notice of its intent to exercise its option to purchase the Project;

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

Section 1. The Mayor and Clerk are authorized and directed to execute a special warranty deed, a bill of sale and a release of lease, in substantially the forms submitted to the Governing Body concurrently with the adoption of this Resolution. The Clerk is directed to deliver the executed special warranty deed, a bill of sale and a release of lease to the Tenant.

Section 2. The Mayor and Clerk are further authorized and directed to sign such other instruments and certificates as shall be necessary and desirable in connection with this Resolution, and are further authorized to take such further actions as may be necessary to accomplish the purposes of this Resolution.

[BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY]

ADOPTED by the governing body of the City of Bel Aire, Kansas on May 7, 2024.

CITY OF BEL AIRE, KANSAS

Mayor

[SEAL]

Attest:

By: _____
Clerk

THIS CONVEYANCE IS FOR THE PURPOSE OF RELEASING SECURITY FOR A DEBT OR OTHER OBLIGATION AND IS EXEMPT FROM THE REQUIREMENTS OF A SALES VALIDATION QUESTIONNAIRE PURSUANT TO K.S.A. 79-1437e(2).

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made May 15, 2024 between the City of Bel Aire, Kansas, a municipal corporation, as Grantor, and North Webb, LLC, a Kansas limited liability company, as Grantee;

WITNESSETH, that the Grantor, in furtherance of the terms of a certain Lease dated as of May 6, 2013 between Grantor and Grantee, and as authorized by a Resolution duly adopted by the governing body of the Grantor, and by these presents conveys to Grantee, its successors and assigns, all the following described real estate in Sedgwick County, Kansas:

That part of Lot 2, Block 1, Tierra Verde South Addition, a Planned Unit Development in the City of Bel Aire, Sedgwick County, Kansas described as:
Commencing at the Northerly most N.E. Corner of said Lot 2; thence S31°57'48"E along the Northeasterly line of said Lot 2; 458.66 feet to the Point of Beginning; thence S31°57'48"E, along said Northeasterly line, 56.29 feet to the P.C. of a Curve to the left, having a Radius of 365 feet; thence Southeasterly, along said Curve and said Northeasterly line, through a Central Angle of 21°12'45", 135.13 feet to the Southeasterly most Corner of said Lot 2; thence S36°49'27"W, along the Southerly line of said Lot 2, 10.06 feet to the P.C. of a Curve to the right, having a Radius of 100 feet and a Central Angle of 21°12'45"; thence Southwesterly, along said Curve, 37.02 feet to the P.T. of said Curve; thence S58°02'12"W, along said Southerly line, 411.58 feet; thence N31°57'48"W, 198.77 feet; thence N58°02'12"E, 432.41 feet to the Point of Beginning

for the sum of \$100.00 and other valuable consideration;

TO HAVE AND TO HOLD, the premises described, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in any way appertaining, to Grantee and to its successors and assigns forever; and Grantor covenants that the premises are free and clear of all encumbrances whatsoever, except (a) those to which the title was subject on the date of conveyance to Grantor, or to which title became subject with Grantee's written consent, or which resulted from any failure of Grantee to perform any of its covenants or obligations under the Lease from Grantor referred to above, (b) taxes and assessments, general and special, if any, and (c) the rights, titles and interests of any party having condemned or attempting to condemn title to, or the use for a limited period of, all or any part of the premises conveyed; and that it will warrant and defend the title to the premises to Grantee and Grantee's successors and assigns forever against the lawful claims and demands of anyone claiming by, through or under it.

IN WITNESS WHEREOF, Grantor has executed this deed and affixed its corporate seal on the day and year first above written.

[SEAL]

ATTEST:

CITY OF BEL AIRE, KANSAS
a municipal corporation

Melissa Krehbiel, Clerk

Jim Benage, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of May, 2024 by Jim Benage, Mayor, and Melissa Krehbiel, Clerk, respectively, of the City of Bel Aire, Kansas, on behalf of the city.

[SEAL]

Notary Public

My appointment expires:

BILL OF SALE

In furtherance of the terms of a certain Lease dated as of May 6, 2013 between the City of Bel Aire, Kansas, as Assignor, and North Webb, LLC, a Kansas limited liability company, as Assignee, and for valuable consideration, Assignor transfers, assigns and conveys to Assignee, all personal property purchased with the proceeds of the City of Bel Aire, Kansas, Industrial Revenue Bonds, Series A, 2013 and Series B, 2013 (Concierge Surgical Recovery Center Project).

[SEAL]

ATTEST:

CITY OF BEL AIRE, KANSAS

a municipal corporation

Melissa Krehbiel, Clerk

Jim Benage, Mayor

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of May, 2024 by Jim Benage, Mayor, and Melissa Krehbiel, Clerk, respectively, of the City of Bel Aire, Kansas, on behalf of the city.

[SEAL]

Notary Public

My appointment expires:

RELEASE OF LEASE

WHEREAS, the City of Bel Aire, Kansas (the "Issuer") has entered into a Lease dated as of May 6, 2013 (the "Lease") between the Issuer and North Webb, LLC, a Kansas limited liability company (the "Tenant"), notice of which is recorded in Doc.#/FLM-PG: 29372152 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, the Issuer assigned its interest in the Lease to Security Bank of Kansas City, Kansas City, Kansas, acting as trustee for the Issuer and others for purpose of enforcement of the Tenant's covenants under the Lease, notice of which is recorded in Doc.#/FLM-PG: 29372153 in the office of the Sedgwick County Register of Deeds; and

WHEREAS, the Tenant has exercised its option to purchase the facility described in the Lease (the "Project") from the Issuer; and

WHEREAS, all of the Tenant's obligations to the Issuer under the Lease have been satisfied;

THEREFORE, the property described in the attached *Schedule I* is released from any claim of the Issuer and the trustee under the Lease as of May 15, 2024.

CITY OF BEL AIRE, KANSAS

By: _____
Jim Benage, Mayor

[SEAL]

ATTEST:

By : _____
Melissa Krehbiel, Clerk

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

The foregoing instrument was acknowledged before me this ____ day of May, 2024 by Jim Benage, Mayor, and Melissa Krehbiel, Clerk, respectively, of the City of Bel Aire, Kansas, on behalf of said city.

[SEAL]

By: _____
Notary Public

My appointment expires: _____

Security Bank of Kansas City
Kansas City, Kansas

By: _____
Name: Shawn T. Hoebener
Title: Vice President & Trust Officer

STATE OF KANSAS)
) SS:
COUNTY OF SEDGWICK)

This instrument was acknowledged before me this ___ day of May, 2024 by Shawn T. Hoebener as Vice President & Trust Officer of the Security Bank of Kansas City, Kansas City, Kansas, a state banking association or corporation.

[SEAL]

Notary Public

My appointment expires: _____
Date

SCHEDULE I

PROPERTY SUBJECT TO LEASE

(a) The following described real estate located in Sedgwick County, Kansas, to wit:

That part of Lot 2, Block 1, Tierra Verde South Addition, a Planned Unit Development in the City of Bel Aire, Sedgwick County, Kansas described as:

Commencing at the Northerly most N.E. Corner of said Lot 2; thence S31°57'48"E along the Northeasterly line of said Lot 2; 458.66 feet to the Point of Beginning; thence S31°57'48"E, along said Northeasterly line, 56.29 feet to the P.C. of a Curve to the left, having a Radius of 365 feet; thence Southeasterly, along said Curve and said Northeasterly line, through a Central Angle of 21°12'45", 135.13 feet to the Southeasterly most Corner of said Lot 2; thence S36°49'27"W, along the Southerly line of said Lot 2, 10.06 feet to the P.C. of a Curve to the right, having a Radius of 100 feet and a Central Angle of 21°12'45"; thence Southwesterly, along said Curve, 37.02 feet to the P.T. of said Curve; thence S58°02'12"W, along said Southerly line, 411.58 feet; thence N31°57'48"W, 198.77 feet; thence N58°02'12"E, 432.41 feet to the Point of Beginning

the real property constituting the "Land" as referred to in the Lease.

(b) All buildings, improvements, machinery and equipment now or hereafter constructed, located or installed on the Land pursuant to the Lease, constituting the "Improvements" as referred to in the Lease, together with any substitutions or replacements therefor any "Project Additions" as referred to in the Lease, the property described in paragraphs (a) and (b) of this *Schedule I* together constituting the "Project" as referred to in the Lease.

TRUSTEE’S CERTIFICATION

Re: City of Bel Aire, Kansas
Industrial Revenue Bonds, Series A, 2013 and Series B, 2013
(Concierge Surgical Recovery Center Project) (the “Bonds”)

The undersigned, on behalf of Security Bank of Kansas City, Kansas City, Kansas, as trustee with respect to the referenced Bonds, certifies that as of the date hereof, no Bonds remain outstanding under the Ordinance dated May 6, 2013 authorizing and securing the Bonds, and all fees and expenses of the trustee in connection with such Bonds have been paid in full.

Dated: May __, 2024

Security Bank of Kansas City
Kansas City, Kansas

By: _____
Name: Shawn T. Hoebener
Title: Vice President & Trust Officer

City of Bel Aire, Kansas



STAFF REPORT

DATE: April 29, 2024
TO: Ted Henry, City Manager
FROM: Anne Stephens, City Engineer
RE: Street Preservation Projects Engineering Services

Current Situation:

The City is ready to initiate design on the 2024 Street Preservation Program Projects.

Goals:

- To grow the City in an attractive, safe manner that is consistent with City standards.

Discussion:

The City has been working with PEC to develop the 2024 Street Maintenance Plan. The agreement presented with this report includes fees to develop bidding documents and assist with the procurement of a contractor to perform this work. A contract for inspection services will be forthcoming.

Financials:

The cost of the improvements for these projects will be paid for from the Street Maintenance Fund.

Recommendation:

Staff recommends that the City Council accept Work Order 24-04 from PEC in the amount of \$27,570.00 for the design, bidding and construction administration services (a work order for construction observation will be forthcoming) for the 2024 Street Preservation Program Projects.

WORK ORDER NO. 24-04

This Work Order No. 24-04 is made as of this _____ day of _____, 2024, under the terms and conditions established in the Master Agreement between Client and Professional Consultant dated February 06, 2024 (the “Master Services Agreement” between City of Bel Aire (Client) and Professional Engineering Consultants, P.A. (PEC). Except to the extend modified herein, all terms and conditions of the Master Services Agreement shall continue a full force and effect.

SECTION A – SERVICES

A.1 PEC shall perform the following services (collectively, the “Services”):

See attached Exhibit A, Section D.

A.3 Exclusions:

See attached Exhibit A, Section F.

SECTION B – SCHEDULE

PEC shall perform the Services and deliver the above documents according to the following:

See attached Exhibit A, Section B.

SECTION C – COMPENSATION

In return for the proper performance by Consultant of its Services, Client shall pay to PEC an amount not to exceed Twenty-seven Thousand Five Hundred Seventy Dollars (\$27,570.00), payable according to the following terms:

See attached Exhibit A, Section G.

SECTION D – OTHER PROVISIONS

The parties agree to the following additional provisions with respect to this Work Order:

See attached Exhibit A, Section E.

CITY OF BEL AIRE

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A

A. Project Description:

1. Provide Pavement Maintenance Plan, Bidding, and Construction Phase Services (Construction Administration and Construction Inspection Services) for the following areas in Bel Aire, Kansas:
 - 45th Street from Woodlawn to Webb (Pavement Marking)
 - 53rd Street from Woodlawn to Webb (Pavement Marking)
 - Rock Road from the North City of Bel Aire City Limit to the South City of Bel Aire City Limit (Pavement Marking)
 - Pearson Housing Addition (Asphalt Patching, Curb Repairs, and Mill & Overlay)
 - Lawn Terrace Housing Addition (Asphalt Patching, Curb Repairs, and Mill & Overlay)
 - Bel Aire Heights Housing Addition (Asphalt Patching and Curb Repairs)
2. The Project delivery method is design-bid-build.

B. Anticipated Project Schedule:

1. The fully executed copy of the contract will serve as PEC's notice to proceed with the services.
2. PEC shall commence its services on the Project within fourteen (14) days after receiving CLIENT's notice to proceed.
3. PEC and CLIENT anticipate design duration for the pavement marking to be complete in approximately 30 days and the design duration for the roadway repairs will be approximately 60 days. Respectively, after receiving the Notice to Proceed.
4. CLIENT acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.

C. Project Deliverables:

1. Preliminary Plans (and supplemental specifications if necessary) and associated engineer's opinion of probable cost in portable document format (PDF).
2. Final Plans and Bid Documentation (and supplemental specifications if necessary) and associated engineer's opinion of probable cost in PDF format.

D. Scope of Services:

1. Civil Engineering Design Services:
 - a) Provide project correspondence and consultation with CLIENT.
 - b) Provide quality control review prior to submission of project deliverables.
 - c) Attend and assist in facilitating a pre-design kickoff meeting with CLIENT to formalize the design criteria and PROJECT boundaries, lines of communication and overall project procedures.
 - d) Attend and assist in facilitating a design review meeting with the CLIENT to review plans.

- e) Prepare preliminary plans and supplemental specifications, if necessary, in accordance with the current design criteria of the CLIENT along with an engineer's opinion of probable cost.
- f) Prepare final plans and supplemental specifications, if necessary, in accordance with the current design criteria of the CLIENT along with an engineer's opinion of probable cost.

2. Construction Administration Services:

During the construction phase PEC shall provide construction administration services for the PROJECT, when requested by the CLIENT. The scope of services will be as follows:

- a) Attend and assist in facilitating the preconstruction conference.
- b) Issue contract documents and review bonds and insurance submitted by the PROJECT awarded contractor.
- c) Review Contractor's shop drawings and material test certifications for compliance with plans and specifications.
- d) Make a maximum of five (5) visits to the PROJECT site to determine Contractor's progress and general character of the work, upon written request of CLIENT.
- e) Consult with the inspector regarding interpretations or clarifications of the plans and specifications.
- f) Provide decisions in accordance with the contract documents on questions regarding the PROJECT.
- g) Review materials test reports as submitted by the City Inspector.
- h) Prepare Change Orders covering modifications or revisions necessitated by field conditions.
- i) Conduct a final on-site PROJECT review.
- j) Issue Certificate of Substantial Completion when each separate part of the PROJECT has been completed.

E. Additional Services:

The following services can be provided by PEC at an additional cost by Supplemental Agreement:

- 1. Field Survey Services.
- 2. Written legal descriptions and associated map exhibits for acquisition of easement and right-of-way.
- 3. Production of record drawings, as-builts, or release of electronic files.
- 4. Additional services associated with an expansion of the PROJECT or increase in PROJECT size and construction cost.
- 5. Geotechnical investigations.
- 6. Additional manual or machine traffic counts of any driveway(s) or adjacent roadway(s).
- 7. Attendance at public meetings beyond those specifically identified in the above scope of services.
- 8. Railroad/Railway Coordination.
- 9. Analysis of existing utility systems, vacuum excavation of existing utilities and utility coordination efforts.

10. Construction Phase Services: Includes Construction Testing and Inspection, Construction Staking related to the project.
11. Utility Relocation/Extension Design: Includes any public utility design not included within the scope of services above.
12. Landscape Architecture Services: Includes landscape design and tree planting.
13. Plan revisions, as necessary, to reduce the cost of construction after issue of CD's. (Typically referred to "Value Engineering" or "VE".)
14. Alternate designs not specifically listed in the Scope of Services.

F. Exclusions:

The following shall be specifically excluded from the Scope of Services to be provided by PEC.

1. Additional services not included in the above scope of services.
2. Franchise Utility Design.
3. Railroad/Railway Design.
4. Environmental site assessments.
5. Permit and review fees.
6. Entrance into a permit-required or non-permit required Confined Space.
7. Environmental site assessments.

G. PEC's Fees & Reimbursable Expenses:

1. PEC will invoice CLIENT one time per month for services rendered and Reimbursable Expenses incurred in the previous month. CLIENT agrees to pay each invoice within 30 days after receipt.
2. PEC's Fee for its Scope of Services will be on a standard hourly basis, at the rates established on the attached Rate Schedule, estimated as outlined below, plus Reimbursable Expenses.

Services	Fees
Design Services	\$ 12,600.00
Construction Administration Services	\$ 14,970.00
TOTAL	\$ 27,570.00

3. Taxes are not included in PEC's Fees. CLIENT shall reimburse PEC for any sales, use, and value added taxes which apply to these services.

<u>TITLE</u>	<u>HOURLY RATE *</u>
Principal Engineer	\$230
Senior Project Manager	\$210
Project Manager	\$190
Senior Engineer	\$185
Project Engineer	\$160
Senior Landscape Architect.....	\$175
Landscape Architect	\$125
Senior Planner	\$170
Planner.....	\$150
Design Engineer	\$130
Senior Technician	\$145
Design Technician.....	\$110
Senior Commissioning Agent.....	\$150
Commissioning Agent	\$125
GIS Specialist	\$145
GIS Analyst	\$115
Project Coordinator.....	\$100
Project Assistant	\$90
Senior Field Project Manager	\$190
Field Project Manager	\$150
Senior Inspector.....	\$155
Inspector	\$120
Senior Field Technician.....	\$100
Field Technician	\$80
Driller	\$105
Land Surveyor	\$135
Party Chief.....	\$115
Survey Technician	\$95
*Premium time for all non-salaried personnel or as noted in the contract	1.5 multiplier

REIMBURSABLES:

Infrared Camera.....	\$50/Hour
Structural Testing Equipment.....	\$50/Hour
Outside Consultants.....	Cost plus 10%
Reproduction & Photography	Cost plus 10%
Equipment Rental	Cost plus 10%
Material.....	Cost plus 10%
Vehicle Mileage.....	IRS Rate/Mile
Truck Mileage	\$0.70/Mile
ATV	\$20/Hour
GPS.....	\$50/Hour
3D Laser Scanner.....	\$150/Hour
Robotic Total Station.....	\$50/Hour
UAS	\$150/Hour
Mobile Lidar Unit.....	\$150/Hour
Drill Rig Use.....	\$75/Hour
Car Rental and Fuel	Cost plus 10%
Per Diem, Meals	Cost plus 10%
Per Diem, Lodging	Cost plus 10%
Deliveries and Overnight Mail... ..	Cost plus 10%
Travel, Hotel, Meals, and Subsistence.....	Cost plus 10%
Filing Fees	Cost plus 10%
Concrete Testing Equipment	\$10/Each
Nuclear Gauge Equipment.....	\$20/Each
Compression Tests of Cylinders	\$12/Each
Ultra Sonic Testing Equipment	\$50/Each
Semi-Trailer Mileage.....	\$3/Mile

**The rates shown above are effective for services through December 31, 2024 and are subject to revision thereafter.

City of Bel Aire, Kansas



STAFF REPORT

DATE: April 10, 2024

TO: Ted Henry, City Manager

FROM: Anne Stephens, PE, City Engineer

RE: Parkwood/40th Paving Bids

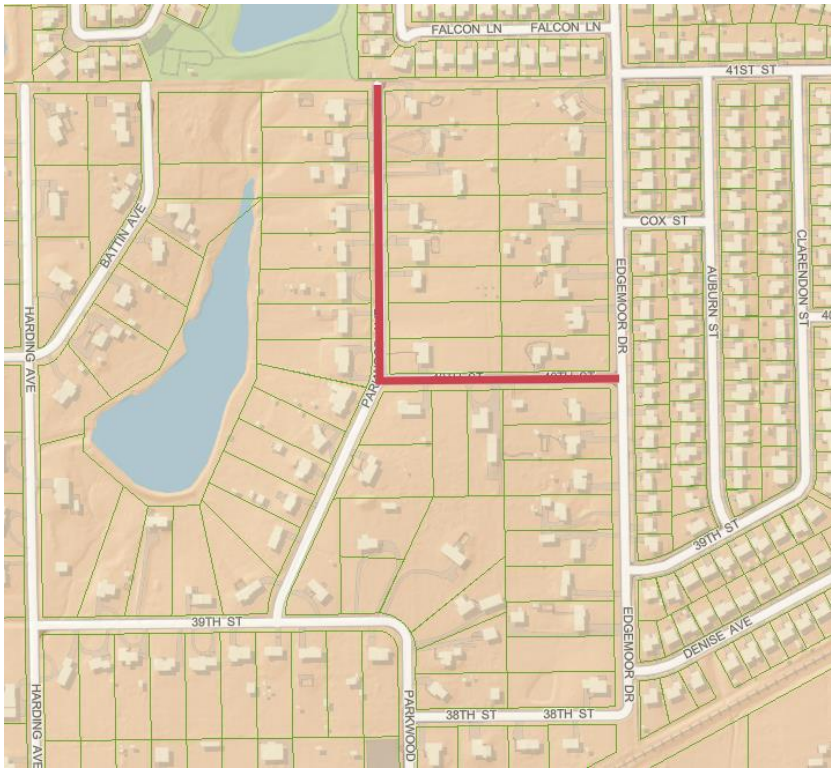
BACKGROUND:

The residents on Parkwood and 40th in Aurora Park signed a petition to pave their street. The City hired Garver to design the paving improvements to Parkwood and 40th in Aurora Park.

DISCUSSION:

Bids were accepted on April 3rd for the project. Three contractors responded to the solicitation. The base bid for the project includes asphalt paving with concrete paving at the intersection of 40th and Parkwood. Alternate 1 converts the concrete paving in the intersection of 40th and Parkwood to asphalt paving. Alternate 2 includes the regarding of ditches throughout the Aurora Park neighborhood and Alternate 3 includes concrete paving for the entire project.

	Engineer’s Estimate	APAC	Kansas Paving	Pearson
Base Bid	\$519,098.50	\$927,791.00	\$717,257.00	\$786,926.50
Alt 1 – 40 th and Parkwood Intersection Pvmt	(\$5,200.00)	(\$5,980.00)	(\$5,720.00)	(\$9,100.00)
Base Bid + Alt 1	\$513,898.50	\$921,811.00	\$711,537.00	\$777,826.50
Alt 2 – Ditch Improvements	\$101,355.00	\$255,702.00	\$173,577.00	\$359,352.00
Base Bid + Alt 2	\$620,453.50	\$1,183,493.00	\$890,834.00	\$1,124,464.50
Base Bid + Alt 1 and Alt 2	\$615,253.50	\$1,177,513.00	\$885,114.00	\$1,115,364.50
Alt 3 – Concrete	\$128,340.00	\$147,591.00	\$102,672.00	\$147,591.00
Base Bid + Alt 3	\$647,438.50	\$1,075,382.00	\$819,929.00	\$934,517.50
Base Bid + Alt 1 + Alt 2 + Alt 3	\$743,593.50	\$1,325,104.00	\$987,786.00	\$1,262,955.50



FINANCIAL CONSIDERATIONS: The cost of the improvements for these projects will be financed through a bond and spread as special assessments against the benefiting lots.

POLICY DECISION: Staff adhered to the purchasing policy in gathering a minimum of three bids for the project.

RECOMMENDATION: The original petition estimate for this project, which included the Base Bid only, was \$451,390.00. Since the bids are over the original petition costs, staff will present options for moving forward. A spreadsheet is attached showing the revised petition costs for this work. Ken Lee from Garver will be present at the meeting to answer any questions.

Parkwood Avenue & 40th Street North Paving
 Bel Aire, Kansas
 April 3rd, 2024

	Base Bid			Engineers Estimate		APAC		Kansas Paving		Pearson	
		Quantity	Unit	Extension	Total	Extension	Total	Extension	Total	Extension	Total
1	Site Clearing	1	LS	\$ 50,000.00	\$ 50,000.00	\$ 80,000.00	\$ 80,000.00	\$ 63,200.00	\$ 63,200.00	\$ 100,000.00	\$ 100,000.00
2	Site Restoration	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 55,000.00	\$ 55,000.00	\$ 5,000.00	\$ 5,000.00	\$ 30,000.00	\$ 30,000.00
3	Excavation	3020	CY	\$ 10.00	\$ 30,200.00	\$ 29.00	\$ 87,580.00	\$ 28.00	\$ 84,560.00	\$ 15.00	\$ 45,300.00
4	Compacted Fill (95% Std Density)	300	CY	\$ 5.00	\$ 1,500.00	\$ 6.00	\$ 1,800.00	\$ 2.00	\$ 600.00	\$ 14.00	\$ 4,200.00
5	Concrete Pavement, 6"	594	SY	\$ 45.00	\$ 26,730.00	\$ 65.00	\$ 38,610.00	\$ 70.00	\$ 41,580.00	\$ 68.00	\$ 40,392.00
6	Asphalt Concrete Pavement, 7"	6417	SY	\$ 25.00	\$ 160,425.00	\$ 42.00	\$ 269,514.00	\$ 31.00	\$ 198,927.00	\$ 33.00	\$ 211,761.00
7	Crushed Rock Base, 5" Reinforced	7066	SY	\$ 6.00	\$ 42,396.00	\$ 13.00	\$ 91,858.00	\$ 8.00	\$ 56,528.00	\$ 8.00	\$ 56,528.00
8	1" Hard Rock Gravel	12	SY	\$ 21.00	\$ 252.00	\$ 50.00	\$ 600.00	\$ 30.00	\$ 360.00	\$ 14.00	\$ 168.00
9	4" Concrete Flume	92	LF	\$ 30.00	\$ 2,760.00	\$ 58.00	\$ 5,336.00	\$ 25.00	\$ 2,300.00	\$ 48.00	\$ 4,416.00
10	4" Concrete	26	SY	\$ 70.00	\$ 1,820.00	\$ 100.00	\$ 2,600.00	\$ 40.00	\$ 1,040.00	\$ 178.00	\$ 4,628.00
11	Pipe, SWS 12" (RCP)	714	LF	\$ 50.00	\$ 35,700.00	\$ 80.00	\$ 57,120.00	\$ 80.00	\$ 57,120.00	\$ 86.00	\$ 61,404.00
12	Pipe, SWS 18" (RCP)	131	LF	\$ 55.00	\$ 7,205.00	\$ 83.00	\$ 10,873.00	\$ 83.00	\$ 10,873.00	\$ 90.00	\$ 11,790.00
13	Pipe, SWS 24" (RCP)	232	LF	\$ 70.00	\$ 16,240.00	\$ 112.00	\$ 25,984.00	\$ 112.00	\$ 25,984.00	\$ 101.00	\$ 23,432.00
14	Pipe, End Section SWS 12" (RCP)	36	EA	\$ 510.00	\$ 18,360.00	\$ 700.00	\$ 25,200.00	\$ 700.00	\$ 25,200.00	\$ 988.00	\$ 35,568.00
15	Pipe, End Section SWS 18" (RCP)	6	EA	\$ 600.00	\$ 3,600.00	\$ 755.00	\$ 4,530.00	\$ 755.00	\$ 4,530.00	\$ 1,250.00	\$ 7,500.00
16	Pipe, End Section SWS 24" (RCP)	10	EA	\$ 760.00	\$ 7,600.00	\$ 1,100.00	\$ 11,000.00	\$ 1,100.00	\$ 11,000.00	\$ 1,350.00	\$ 13,500.00
17	Water Valve, Adjusted	2	EA	\$ 1,100.00	\$ 2,200.00	\$ 625.00	\$ 1,250.00	\$ 625.00	\$ 1,250.00	\$ 3,700.00	\$ 7,400.00
18	Valvebox, Adjusted	1	EA	\$ 332.00	\$ 332.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 650.00	\$ 250.00	\$ 250.00
19	Water Meter, Adjusted or Relocated	10	EA	\$ 800.00	\$ 8,000.00	\$ 950.00	\$ 9,500.00	\$ 950.00	\$ 9,500.00	\$ 1,000.00	\$ 10,000.00
20	Fire Hydrant, Relocated	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 6,500.00	\$ 6,500.00
21	Mailbox, Removed & Reset	19	EA	\$ 180.00	\$ 3,420.00	\$ 275.00	\$ 5,225.00	\$ 75.00	\$ 1,425.00	\$ 475.00	\$ 9,025.00
22	Sign, Removed & Reset	1	EA	\$ 300.00	\$ 300.00	\$ 500.00	\$ 500.00	\$ 250.00	\$ 250.00	\$ 500.00	\$ 500.00
23	Sign, Removed & Replaced	2	EA	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00
24	Concrete, Removed & Replaced	111	SY	\$ 60.00	\$ 6,660.00	\$ 100.00	\$ 11,100.00	\$ 85.00	\$ 9,435.00	\$ 85.00	\$ 9,435.00
25	Gravel (3"), Removed & Replaced	115	SY	\$ 30.00	\$ 3,450.00	\$ 58.00	\$ 6,670.00	\$ 50.00	\$ 5,750.00	\$ 22.00	\$ 2,530.00
26	Gravel, Removed & Salvaged	5554	SY	\$ 3.00	\$ 16,662.00	\$ 4.50	\$ 24,993.00	\$ 6.00	\$ 33,324.00	\$ 1.50	\$ 8,331.00
27	Fence, Removed & Salvaged	343	LF	\$ 8.00	\$ 2,744.00	\$ 6.00	\$ 2,058.00	\$ 15.00	\$ 5,145.00	\$ 14.50	\$ 4,973.50
28	Subgrade Manipulation	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 48,000.00	\$ 48,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,500.00	\$ 15,500.00
29	BMP, Construction Entrance	1	EA	\$ 600.00	\$ 600.00	\$ 1,500.00	\$ 1,500.00	\$ 1.00	\$ 1.00	\$ 1,300.00	\$ 1,300.00
30	BMP, Ditch Check	19	EA	\$ 75.00	\$ 1,425.00	\$ 120.00	\$ 2,280.00	\$ 120.00	\$ 2,280.00	\$ 120.00	\$ 2,280.00
31	BMP, Erosion Control Blanket	1850	SY	\$ 1.25	\$ 2,312.50	\$ 1.70	\$ 3,145.00	\$ 1.70	\$ 3,145.00	\$ 1.70	\$ 3,145.00
32	BMP, Transition Mat	73	SY	\$ 85.00	\$ 6,205.00	\$ 135.00	\$ 9,855.00	\$ 135.00	\$ 9,855.00	\$ 135.00	\$ 9,855.00
33	Project Signage	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 4,515.00	\$ 4,515.00	\$ 4,000.00	\$ 4,000.00	\$ 4,515.00	\$ 4,515.00
34	Project Seeding	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 7,700.00	\$ 7,700.00	\$ 7,700.00	\$ 7,700.00	\$ 7,700.00	\$ 7,700.00
35	Contractor Furnished Testing	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 8,000.00	\$ 8,000.00	\$ 5,500.00	\$ 5,500.00	\$ 10,000.00	\$ 10,000.00
36	Contractor Provided Staking	1	LS	\$ 9,000.00	\$ 9,000.00	\$ 8,745.00	\$ 8,745.00	\$ 10,745.00	\$ 10,745.00	\$ 22,100.00	\$ 22,100.00
Base Bid Total					\$ 519,098.50		\$ 927,791.00		\$ 717,257.00		\$ 786,926.50
Add Alternate 1											
Intersection of Parkwood Ave & 40th St N											
37	Less Concrete Pavement, 6"	260	SY	\$ (45.00)	\$ (11,700.00)	\$ (65.00)	\$ (16,900.00)	\$ (67.00)	\$ (17,420.00)	\$ (68.00)	\$ (17,680.00)
38	Asphalt Concrete Pavement, 7"	260	SY	\$ 25.00	\$ 6,500.00	\$ 42.00	\$ 10,920.00	\$ 45.00	\$ 11,700.00	\$ 33.00	\$ 8,580.00
Add Alternate 1 Subtotal					\$ (5,200.00)		\$ (5,980.00)		\$ (5,720.00)		\$ (9,100.00)
Base Bid + Add Alternate 1 Total					\$ 513,898.50		\$ 921,811.00		\$ 711,537.00		\$ 777,826.50
Add Alternate 2											
Aurora Park Ditch Improvements											
39	Site Clearing	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 35,000.00	\$ 35,000.00	\$ 9,100.00	\$ 9,100.00	\$ 70,000.00	\$ 70,000.00
40	Site Restoration	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00	\$ 5,000.00	\$ 70,000.00	\$ 70,000.00
41	Excavation	1250	CY	\$ 10.00	\$ 12,500.00	\$ 50.00	\$ 62,500.00	\$ 30.00	\$ 37,500.00	\$ 24.00	\$ 30,000.00
42	Compacted Fill	250	CY	\$ 5.00	\$ 1,250.00	\$ 8.00	\$ 2,000.00	\$ 2.00	\$ 500.00	\$ 14.00	\$ 3,500.00
43	Pipe, SWS 12" (RCP)	29	LF	\$ 50.00	\$ 1,450.00	\$ 78.00	\$ 2,262.00	\$ 78.00	\$ 2,262.00	\$ 85.00	\$ 2,465.00
44	Pipe, SWS 15" (RCP)	21	LF	\$ 50.00	\$ 1,050.00	\$ 80.00	\$ 1,680.00	\$ 80.00	\$ 1,680.00	\$ 85.00	\$ 1,785.00
45	Pipe, SWS 18" (RCP)	103	LF	\$ 55.00	\$ 5,665.00	\$ 75.00	\$ 7,725.00	\$ 75.00	\$ 7,725.00	\$ 90.00	\$ 9,270.00
46	Pipe, SWS 21" (RCP)	22	LF	\$ 60.00	\$ 1,320.00	\$ 97.00	\$ 2,134.00	\$ 97.00	\$ 2,134.00	\$ 100.00	\$ 2,200.00
47	Pipe, SWS 42" (RCP)	120	LF	\$ 145.00	\$ 17,400.00	\$ 168.00	\$ 20,160.00	\$ 168.00	\$ 20,160.00	\$ 185.00	\$ 22,200.00
48	Pipe, SWS 12" (HDPE)	50	LF	\$ 27.00	\$ 1,350.00	\$ 55.00	\$ 2,750.00	\$ 55.00	\$ 2,750.00	\$ 77.00	\$ 3,850.00
49	Pipe, SWS 15" (HDPE)	69	LF	\$ 30.00	\$ 2,070.00	\$ 60.00	\$ 4,140.00	\$ 60.00	\$ 4,140.00	\$ 83.00	\$ 5,727.00
50	Pipe, SWS 24" (HDPE)	66	LF	\$ 35.00	\$ 2,310.00	\$ 80.00	\$ 5,280.00	\$ 80.00	\$ 5,280.00	\$ 114.00	\$ 7,524.00
51	Pipe, SWS 27" (HDPE)	48	LF	\$ 45.00	\$ 2,160.00	\$ 89.00	\$ 4,272.00	\$ 89.00	\$ 4,272.00	\$ 137.00	\$ 6,576.00
52	Pipe, SWS 30" (HDPE)	115	LF	\$ 50.00	\$ 5,750.00	\$ 75.00	\$ 8,625.00	\$ 75.00	\$ 8,625.00	\$ 125.00	\$ 14,375.00
53	Pipe, SWS 36" (HDPE)	86	LF	\$ 60.00	\$ 5,160.00	\$ 107.00	\$ 9,202.00	\$ 107.00	\$ 9,202.00	\$ 154.00	\$ 13,244.00
54	Pipe, SWS 18"x12" (HDPE)	25	LF	\$ 100.00	\$ 2,500.00	\$ 85.00	\$ 2,125.00	\$ 85.00	\$ 2,125.00	\$ 98.00	\$ 2,450.00
55	Pipe, SWS 38"x24" (HDPE)	51	LF	\$ 110.00	\$ 5,610.00	\$ 171.00	\$ 8,721.00	\$ 171.00	\$ 8,721.00	\$ 171.00	\$ 8,721.00
56	Pipe, SWS 8" (PVC)	16	LF	\$ 25.00	\$ 400.00	\$ 36.00	\$ 576.00	\$ 36.00	\$ 576.00	\$ 61.00	\$ 976.00
57	Manhole, Adjusted	1	EA	\$ 3,000.00	\$ 3,000.00	\$ 1,150.00	\$ 1,150.00	\$ 1,150.00	\$ 1,150.00	\$ 1,400.00	\$ 1,400.00
58	Fire Hydrant, Adjusted	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 1,400.00	\$ 1,400.00
59	Fire Hydrant, Relocated	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 4,500.00	\$ 4,500.00
60	Remove Existing Pipe	7	EA	\$ 130.00	\$ 910.00	\$ 600.00	\$ 4,200.00	\$ 600.00	\$ 4,200.00	\$ 2,000.00	\$ 14,000.00
61	Remove & Reset Existing Pipe	20	EA	\$ 200.00	\$ 4,000.00	\$ 1,000.00	\$ 20,000.00	\$ 1,000.00	\$ 20,000.00	\$ 550.00	\$ 11,000.00
62	Remove & Reset Existing Gravel	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,100.00	\$ 5,100.00
63	Remove & Reset Existing Sign	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 500.00	\$ 500.00	\$ 250.00	\$ 250.00	\$ 500.00	\$ 500.00
64	Contractor Provided Staking	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00	\$ 25.00	\$ 25.00	\$ 24,775.00	\$ 24,775.00
Add Alternate 2 Subtotal					\$ 101,355.00		\$ 255,702.00		\$ 173,577.00		\$ 337,538.00
Base Bid + Add Alternate 2 Total					\$ 620,453.50		\$ 1,183,493.00		\$ 890,834.00		\$ 1,124,464.50
Base Bid + Add Alternate 1 + Add Alternate 2 Total					\$ 615,253.50		\$ 1,177,513.00		\$ 885,114.00		\$ 1,115,364.50
Add Alternate 3											
Parkwood Ave & 40th St N Pavement											
65	Concrete Pavement, 6"	6417	SY	\$ 45.00	\$ 288,765.00	\$ 65.00	\$ 417,105.00	\$ 47.00	\$ 301,599.00	\$ 56.00	\$ 359,352.00
66	Less Asphalt Concrete Pavement, 7"	6417	SY	\$ (25.00)	\$ (160,425.00)	\$ (42.00)	\$ (269,514.00)	\$ (31.00)	\$ (198,927.00)	\$ (33.00)	\$ (211,761.00)
Add Alternate 3 Subtotal					\$ 128,340.00		\$ 147,591.00		\$ 102,672.00		\$ 147,591.00
Base Bid + Add Alternate 3 Total											
Base Bid + Add Alternate 1 + Add Alternate 3 Total											
Base Bid + Add Alternate 2 + Add Alternate 3 Total											
Base Bid + Add Alternate 1 + Add Alternate 2 + Add Alternate 3 Total					\$ 743,593.50		\$ 1,325,104.00		\$ 987,786.00		\$ 1,262,955.50

**40TH & PARKWOOD DRAINAGE & PAVING COST ANALYSIS
MAY 7, 2024 COUNCIL PRESENTATION**

Drainage		Paving		Add Alternate 2	
4" Concrete Flume	\$ 2,300.00	Concrete Pavement, 6"	\$ 41,580.00	Site Clearing	\$ 9,100.00
4" Concrete	\$ 1,040.00	Asphalt Concrete Pavement, 7"	\$ 198,927.00	Site Restoration	\$ 5,000.00
Pipe, SWS 12" (RCP)	\$ 57,120.00	Crushed Rock Base, 5" Reinforced	\$ 56,528.00	Excavation	\$ 37,500.00
Pipe, SWS 18" (RCP)	\$ 10,873.00	1" Hard Rock Gravel	\$ 360.00	Compacted Fill	\$ 500.00
Pipe, SWS 24" (RCP)	\$ 25,984.00	Sign, Removed & Replaced	\$ 1,000.00	Pipe, SWS 12" (RCP)	\$ 2,262.00
Pipe, End Section SWS 12" (RCP)	\$ 25,200.00	Concrete, Removed & Replaced	\$ 9,435.00	Pipe, SWS 15" (RCP)	\$ 1,680.00
Pipe, End Section SWS 18" (RCP)	\$ 4,530.00	Gravel (3"), Removed & Replaced	\$ 5,750.00	Pipe, SWS 18" (RCP)	\$ 7,725.00
Pipe, End Section SWS 24" (RCP)	\$ 11,000.00	Gravel, Removed & Salvaged	\$ 33,324.00	Pipe, SWS 21" (RCP)	\$ 2,134.00
Water Valve, Adjusted	\$ 1,250.00	Subgrade Manipulation	\$ 15,000.00	Pipe, SWS 42" (RCP)	\$ 20,160.00
Valvebox, Adjusted	\$ 650.00	Project Signage	\$ 4,000.00	Pipe, SWS 12" (HDPE)	\$ 2,750.00
Water Meter, Adjusted or Relocated	\$ 9,500.00	Contractor Furnished Testing	\$ 5,500.00	Pipe, SWS 15" (HDPE)	\$ 4,140.00
Fire Hydrant, Relocated	\$ 2,500.00	Compacted Fill (95% Std Density)	\$ 600.00	Pipe, SWS 24" (HDPE)	\$ 5,280.00
Mailbox, Removed & Reset	\$ 1,425.00	Site Clearing	\$ 63,200.00	Pipe, SWS 27" (HDPE)	\$ 4,272.00
Sign, Removed & Reset	\$ 250.00	Site Restoration	\$ 5,000.00	Pipe, SWS 30" (HDPE)	\$ 8,625.00
Fence, Removed & Salvaged	\$ 5,145.00	Excavation	\$ 84,560.00	Pipe, SWS 36" (HDPE)	\$ 9,202.00
BMP, Ditch Check	\$ 2,280.00	Contractor Provided Staking	\$ 10,745.00	Pipe, SWS 18"x12" (HDPE)	\$ 2,125.00
BMP, Erosion Control Blanket	\$ 3,145.00	BMP, Construction Entrance	\$ 1.00	Pipe, SWS 38"x24" (HDPE)	\$ 8,721.00
BMP, Transition Mat	\$ 9,855.00			Pipe, SWS 8" (PVC)	\$ 576.00
Project Seeding	\$ 7,700.00			Manhole, Adjusted	\$ 1,150.00
DRAINAGE TOTAL	\$ 181,747.00	PAVING TOTAL	\$ 535,510.00	Fire Hydrant, Adjusted	\$ 6,000.00
DRAINAGE BASE BID + ADD ALT 2	\$ 355,324.00	Engineering, Inspection	\$ 94,750.00	Fire Hydrant, Relocated	\$ 2,700.00
		Utility Relocation	\$ 10,000.00	Remove Existing Pipe	\$ 4,200.00
		AS BID COST PER LOT	\$ 29,102.73	Remove & Reset Existing Pipe	\$ 20,000.00
		AS-BID COST PER LOT PER MONTH	\$ 161.40	Remove & Reset Existing Gravel	\$ 7,500.00
		ORIGINAL PETITION COST PER LOT	\$ 146.50	Remove & Reset Existing Sign	\$ 250.00
				Contractor Provided Staking	\$ 25.00
				ADD ALT 2 TOTAL	173,577.00

January 6, 2023

Dear Aurora Park Property Owner,

As you are aware, Garver Engineering was hired to complete a drainage study to determine what needs done to improve drainage and repair the ditches in your neighborhood. That lead to Council requesting cost estimates to repair the ditches and pave the streets. This permanently solves all the issues of dust, road maintenance, gravel and drainage for your area.

The City Council prefers landowners to petition, or request, for the street improvements to be installed. This is done through the petition process. You may remember a petition was circulated to the lot owners in Aurora Park last fall. In order for the project to move forward, 51% of the property owners needed to sign and return the petition. That number was not reached over the entire subdivision. As a result, Council chose not to move forward with improvements in Aurora Park. However, a majority of property owners north of 40th on Parkwood and along 40th did sign the petition.

Last month, I was approached by Gary Swift, a homeowner in Aurora Park who resides along north Parkwood, about a new benefit district that would pave 40th street from Edgemoor to Parkwood and north on Parkwood from 40th to the dead end. Enclosed is the benefit district with lots included. Garver Engineering said this could in fact be its own benefit district and improvements could be completed. Garver drafted new petitions for this specific benefit district and Mr. Swift was personally taking them to each property owner. Time is now of the essence as we will be paving Cozy Drive per their request. Having two projects will help reduce costs for both areas. Therefore, please return your signed petition to City Hall by February 1st so we can move both projects forward at the same time. If you plan to not sign the petition and participate, I would greatly appreciate an email to that affect.

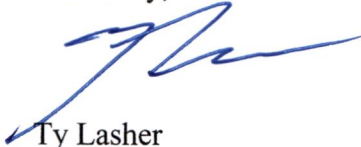
If at least 51%, or 12 lot owners, return signed petitions, the project will move forward. If that is the case, here is the process as well as timeline. Council will officially accept the signed petitions and approve an authorizing resolution at the February 7th City Council meeting. The city will then hire an engineering firm to begin design work. Once the plans are approved, the city will solicit bids from several contractors. The best bid, typically lowest, will be awarded the project. A public meeting with then be scheduled for all the homeowners along Parkwood and 40th with the engineer, contractor, and city. All your questions will be answered relating to how long construction will take, how to access your home, mail, etc. Once the project is completed, the city will issue a bond to pay for the improvements and then special-assess those costs to each homeowner. Again, an estimate was included in the petitions that were circulated. I would guess design and bidding should be completed by the fall of 2023 with construction starting soon thereafter. The special assessments won't be spread until 2025 or soon thereafter.

7651 East Central Park Avenue
Bel Aire, Kansas 67226
PHONE (316) 744-2451
FAX (316) 744-2451

If you have any questions related to the improvements, please contact our City Engineer, Anne Stephens at astephens@belaireks.gov or questions related to special assessment financing to Finance Director, Ted Henry at thenry@belaireks.gov. I am also available for questions at tlasher@belaireks.gov.

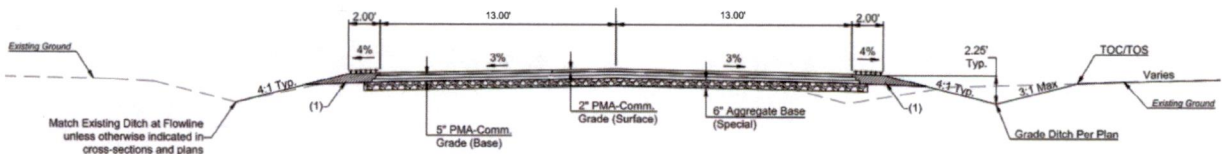
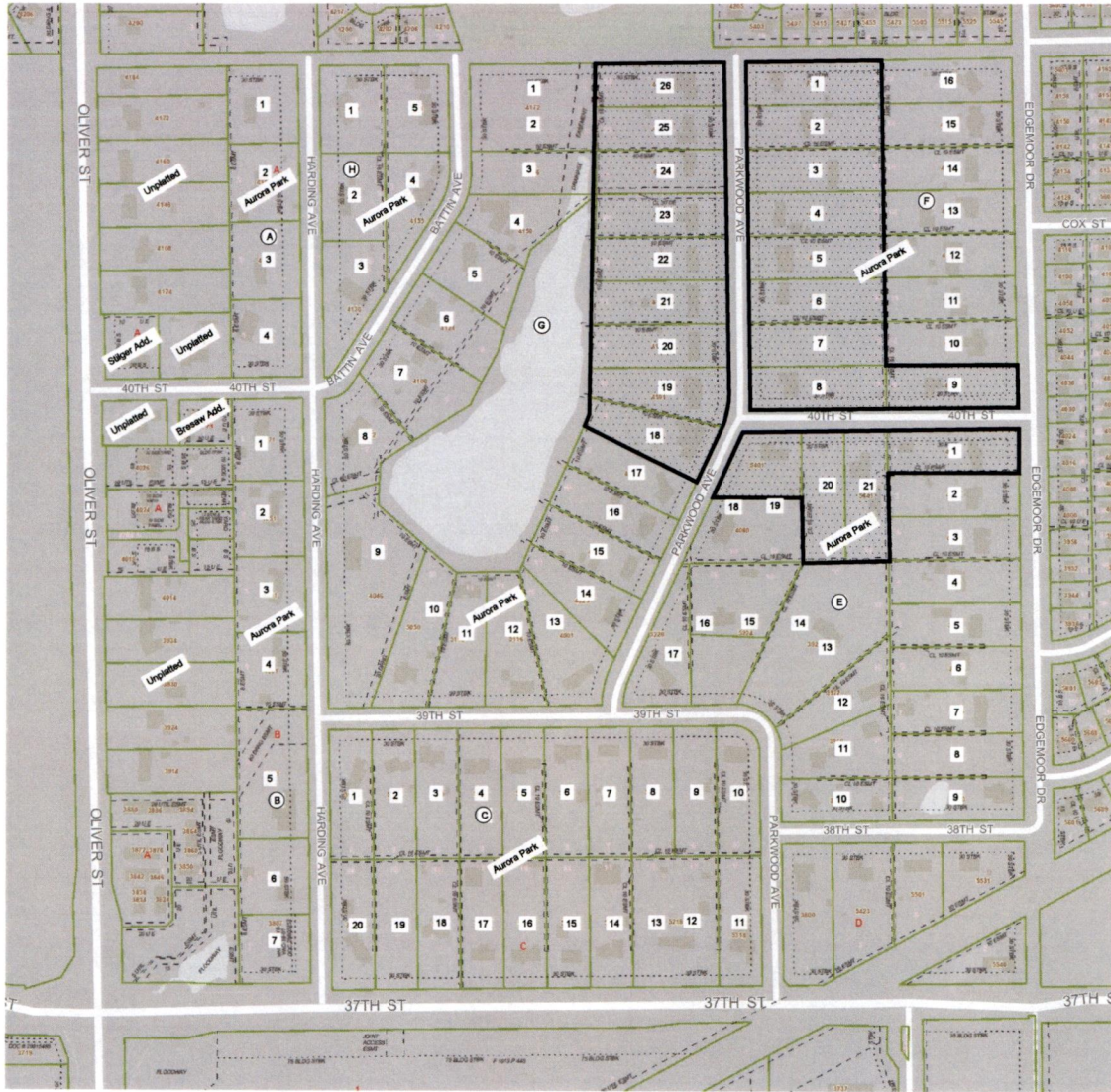
These improvements will easily solve all the issues related to dust, street condition and drainage. I know you will be very pleased with the work which will make a positive difference for your neighborhood.

Sincerely,



Ty Lasher
City Manager

Aurora Park Paving Exhibit 11-2-2022



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1995 Midfield Road
Wichita, KS 67209
(316) 264-8008

Aurora Park Paving Exhibit

FIGURE NUMBER

SHEET NUMBER 1

**Aurora Park Asphalt Mat Pavment
November 2, 2022**

Bid Item Description	Quantity	Um	Unit Price	Extension
Mobilization	1	LS	20,000.00	20,000.00
Site Clearing	1	LS	42,000.00	42,000.00
Site Restoration	1	LS	5,000.00	5,000.00
Excavation	5,950	cy	8.00	47,600.00
Compacted Fill (95% Density)	4,250	cy	5.00	21,250.00
Remove & Replace Existing AC Driveway	650	sy	40.00	26,000.00
AC Pavement 7" (5" Bit. Base) (BM-2) (26' width)	5,790	sy	25.00	144,750.00
Crushed Rock Base 5", Reinforced	6,150	sy	9.00	55,350.00
Pipe, SWS 24", RCP	75	lf	100.00	7,500.00
Remove & Reset Existing Culverts (16 total)	480	lf	50.00	24,000.00
Remove & Replace Existing Culverts (3 total)	90	lf	100.00	9,000.00
Place New Culverts (8 total)	240	lf	75.00	18,000.00
Rip-Rap, Light Stone	20	sy	75.00	1,500.00
Signing	1	LS	3,000.00	3,000.00
Traffic Control	1	LS	10,000.00	10,000.00
Seeding, Permanent	1	LS	7,500.00	7,500.00
BMP, Temporary Seeding	1	LS	2,500.00	2,500.00
BMP, Erosion Control Blanket	3,552	sy	1.25	4,440.00
BMP, Construction Entrance	2	ea	1,000.00	2,000.00
			Construction Subtotal	451,390.00
			Contingencies (15%)	\$67,709
			Utility Relocation & Easement/ROW Acquisition (10%)	\$45,139
			Eng., Staking, Insp (25%)	\$112,848
			Total Cost	\$677,085

City Contribution \$96,000

Net Cost to Benefit District \$581,085

Full Cost / Lot (22 shares) \$26,412.95

Cost per month \$146.49



DATE: Tuesday, May 7, 2025
TO: Mayor and City Council
FROM: City Attorney
SUBJECT: Self-Publication on City’s Website

Recommendation: Pass the attached charter ordinance, and pass the ordinary ordinance calling a referendum election and fixing its date.

Background: The Bel Aire City Council wishes to exempt itself from the requirement to publish certain legal notices in a general circulation newspaper, a requirement created in K.S.A 12-1651. The City may do so, as this statute is not uniformly applicable to all Kansas cities; it expressly applies only to second and third class cities. Attorney General Opinion 2023-5 determined that once a City takes this action to exempt certain publication obligations, that it can designate its own website as the means to communicate the applicable public notices. However, this exemption will not affect public notices that apply in those areas the legislature felt statewide uniformity was important. Therefore, publication in a traditional, physical newspaper of general circulation in the City will still be the rule for imposition of taxes, actions affecting land use, purchase and eminent domain, City budget hearings, the City treasurer’s report, and new ordinances.

The Kansas Constitution Article 12, Section 5 sets out the method to accomplish this exemption by charter ordinance, which requires adherence to additional procedural safeguards intended to empower citizen input should there be such interest. That citizen interest on this issue has already been demonstrated. The earlier attempt to pass a charter ordinance with the same effect was met with a successful petition that would have forced an immediate, special election. The City Council chose not to incur the costs of that special election, and allowed the proposed charter ordinance to expire.

Discussion: The City Council now has the opportunity to put the same issue before Bel Aire citizens at no additional cost to the City, if the election is timed to coincide with the state-wide primary election. By making the charter ordinance expressly contingent on a public referendum, the City Council can honor the public interest that was previously expressed. By altering the language of the original charter ordinance, the City Council can also improve its responsiveness to citizen concerns. The ordinance form now recommended to City Council would set up self-publication on the City’s website as an alternative, but not exclusive means of legal notice publication. City staff can establish to the Council’s satisfaction the effectiveness and reliability of self-publication before it would be used as the primary source for relevant legal notices. If the referendum passes, the charter ordinance would empower but not require Council to use the self-publication option. Were Council to so choose, that option would be put into use through a separate Resolution that would require a majority vote to pass.

The Kansas Constitution provisions noted above require that if the City Council chooses to make the charter ordinance contingent on the referendum outcome, then an additional, ordinary ordinance must be passed that calls the referendum election and fixes the date. Through use of this second ordinance, City Council can include this referendum as a question to be decided in conjunction with the primary election which begins with advance voting on Wednesday, July 17, 2024. The two ordinances have separate publication requirements set out in the Kansas Constitution.

Financial Considerations: Holding the referendum vote during the primary election avoids any additional costs to the City. The estimated cost savings, were self-publication on the City’s website put into use, would be approximately \$4,500.00 per year.

Legal Considerations: The City Attorney has drafted and approved the proposed charter ordinance and related ordinary ordinance. The charter ordinance requires a 2/3rds vote for approval. The ordinary ordinance requires a simple majority for approval, but would be irrelevant and should not be considered if the charter ordinance were not approved.

Recommendation/Actions: It is recommended that City Council pass the proposed charter ordinance that will be effective contingent upon approval by public referendum, and further pass the ordinance setting and fixing the date for that referendum election.

Attachments: Proposed Charter Ordinance and proposed ordinary ordinance.

Published in the Ark Valley News on May ____, 2024 and May ____, 2024

CHARTER ORDINANCE NO. 25

A CHARTER ORDINANCE EXEMPTING THE CITY OF BEL AIRE, KANSAS FROM THE PROVISIONS OF K.S.A 12-1651 RELATING TO DESIGNATION OF AN OFFICIAL CITY NEWSPAPER AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJEJCT.

WHEREAS, the City of Bel Aire, Kansas is a city of the second class duly organized and existing under the laws of the State of Kansas; and

WHEREAS, K.S.A. 12-1651 applies to the City, but its provisions expressly apply only to cities of the second and third class, and are therefore not uniformly applicable to all cities; and

WHEREAS, the Governing Body of the City determines that it is in the public interest to exempt the City from K.S.A. 12-1651 and to provide substitute and additional provisions as set forth in this ordinance, contingent upon approval by public referendum;

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

SECTION 1. The City of Bel Aire, Kansas by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1651 and amendments thereto and to provide substitute and additional provisions as set forth in this ordinance. This state statute is applicable to the City, but is not applicable uniformly to all cities throughout the state of Kansas.

SECTION 2. The Governing Body shall designate from time to time by resolution a newspaper or the City website, www.belaireks.gov, or both as the official newspaper of the City for publication of legal notices, advertisements or publications of any kind which may be required to be published in the official city newspaper by the laws of the State of Kansas, United States of America or the City of Bel Aire.

SECTION 3. Any newspaper that is an official City newspaper on the effective date of this ordinance shall continue to be an official City newspaper until such time as the Governing Body may adopt a resolution providing otherwise. Any publication in any newspaper or on the City’s website made when that newspaper or the City’s website was an official City newspaper shall be valid notwithstanding a subsequent resolution by the Governing Body changing the designation of the official City newspaper.

SECTION 4. This ordinance shall be published once a week for two (2) consecutive weeks in the official City newspaper.

SECTION 5. This is a charter ordinance which the Governing Body elects to submit directly to public referendum pursuant to the alternative provisions of Article 12, Section 5, subsection(c)(3) of the Constitution of the State of Kansas. It shall become effective when approved by a majority of the electors voting thereon.

Passed by the Governing Body of the City of Bel Aire, Kansas on this 7th day of May, 2024.

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, City Clerk

Approved as to form only:

Maria A. Schrock, City Attorney

Published in the Ark Valley News on May ____, 2024 and May ____, 2024

ORDINANCE NO. _____

AN ORDINANCE CALLING A REFERENDUM ELECTION TO APPROVE PROPOSED CHARTER ORDINANCE 25 OF THE CITY OF BEL AIRE, KANSAS AND SETTING THE ELECTION FOR THE SAME IN CONJUNCTION WITH THE STATE-WIDE AUGUST PRIMARY ELECTION.

WHEREAS, the City of Bel Aire, Kansas is a city of the second class duly organized and existing under the laws of the State of Kansas; and

WHEREAS, K.S.A. 12-1651 applies to the City, but its provisions expressly apply only to cities of the second and third class, and are therefore not uniformly applicable to all cities; and

WHEREAS, the Governing Body of the City seeks approval from the electorate that it is in the public interest to exempt the City from K.S.A. 12-1651 and to provide substitute and additional provisions as set forth in the proposed Charter Ordinance No. 25, to be effective only upon approval by public referendum;

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

SECTION 1. The City of Bel Aire, Kansas by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas has elected to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-1651 and amendments thereto and to provide substitute and additional provisions as set forth in the proposed Charter Ordinance No. 25, to be enacted upon approval in a referendum vote.

SECTION 2. The Governing Body hereby calls the referendum election for this purpose pursuant to Article 12, Section 5, subsection (c)(3) of the Constitution of the State of Kansas, and sets the date of this election to coincide with and the election to be held as part of the August 2024

state-wide primary election on Tuesday, August 6, 2024, for which early voting commences on Tuesday July 17, 2024.

SECTION 3. The proposition upon which the electors vote shall be: Shall Charter Ordinance No. 25, entitled "A CHARTER ORDINANCE EXEMPTING THE CITY OF BEL AIRE, KANSAS FROM THE PROVISIONS OF K.S.A 12-1651 RELATING TO DESIGNATION OF AN OFFICIAL CITY NEWSPAPER AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT" take effect?

Yes _____

No _____

SECTION 4. This Ordinance shall be published once a week for three (3) consecutive weeks in the official city newspaper.

SECTION 5. This Ordinance shall take effect and be in force from and after its adoption and third publication in the official city newspaper.

Passed by the Governing Body of the City of Bel Aire, Kansas on this 7th day of May, 2024.

Jim Benage, Mayor

ATTEST:

Melissa Krehbiel, City Clerk

Approved as to form only:

Maria A. Schrock, City Attorney

MANAGERS REPORT

DATE: May 1, 2024
TO: Mayor Benage and City Council
FROM: Ted Henry, City Manager
RE: May 7, 2024 Agenda



Proclamations (Item V)

Older Americans Month (OAM) - Since 1963, OAM has been a time to celebrate older Americans, their stories, and their contributions. Led by the Administration for Community Living (ACL), the annual observance offers a special opportunity to learn about, support, and recognize our nation's older citizens. This proclamation shows support of our seniors and assists with grant opportunities through Sedgwick County.

Public Service Recognition Week (PSRW) - Celebrated the first week of May since 1985, Public Service Recognition Week (PSRW) is organized annually by the Partnership for Public Service and its member organizations to honor the men and women who serve our nation as federal, state, county and city government employees. This is an opportunity for the governing body and community to show support for those who work in public service, especially Bel Aire city employees.

Consent Agenda (Item VII)

For this meeting, several items have been included under the consent agenda:

- Minutes of the April 16, 2024 City Council meeting.
- Petitions for Improvements to serve Chapel Landing 6th.
- Resolutions for Improvements to serve Chapel Landing 6th.
- Three applications for permits to sell fireworks are on the consent agenda. All of the applicants held permits last year and all have submitted the required paperwork for 2024. Per Article 4 of the Bel Aire City Code, the City shall only issue four (4) permits to retail establishments or premises to sell or transfer fireworks in any calendar year.

The City Attorney spoke to these three applicants and discussed the need to be mindful of the potential for unintended lighting nuisances. The applicants were very understanding and provided a contact name with phone number for any concerns. If there are any lighting concerns during the dates of operation on their applications, the City Attorney will contact the applicant and discuss any necessary modifications. Per Article 8 of the Bel

Aire City Code, parking lot lighting is discussed. No fixtures that shine outward and create a glare from street right-of-way or residential properties shall be permitted. Lighting used to illuminate parking areas shall be arranged, located or screened to direct light away from any adjoining or abutting residential district or any street right-of-way.

AP Ordinance (Item VIII)

This appropriations ordinance covers expenses from April 9, 2024, through April 30, 2024, including two payroll cycles. The total expenditure amounted to \$2,291,672.24. Of this, \$369,314.52 was allocated to infrastructure costs for new developments, which are funded through special assessments.

City Requested Appearances (Item IX)

Two individuals are scheduled to speak in this section of the meeting:

- Gary O’Neal, representing the Bel Aire Lion’s Club, will discuss the Lions Club’s 2024 Application for a Fireworks Retail Sales Permit.
- Ken Lee from Garver will present modifications to the preliminary design of the roundabout at 45th Street. Garver proposes shifting the roundabout northward for two main reasons:
 - The revised design impacts the property at the northwest corner more significantly than the original, increasing the cost of property acquisition. Approving Garver to put together exhibits for this would allow the property acquisition to be frontloaded to reduce the chances of issues later.
 - The northward shift would lessen the effect on the Oliver RCB caused by the additional widening to two lanes throughout the roundabout. It also improves the approach angle for eastbound traffic coming from the west.

Application for Fireworks Retail Sales Permit (Item A)

A fourth application (Bel Aire Lions Club) has been received by the City Clerk. However, at the time of the packet publication, additional required paperwork has not yet been provided by the applicant. Gary O’Neal, Bel Aire Lions Club, will speak regarding the application under City Requested Appearances.

Purchase Option & Title Transfer – North Webb, LLC (Item B)

In connection with original issuance of industrial revenue bonds, the City took a legal interest in real property and the facility financed by the bonds, and leases the real property and facility to North Webb, LLC, in exchange for rental payments

that are used to make debt service payments on the bonds. The bonds have matured and the Company has exercised its option to purchase the bond financed facility. This resolution will authorize the City to deliver various documents in connection with the redemption of the bonds, including a warranty deed, bill of sale, and terminations of bond documents, to transfer the real property and facility to North Webb, LLC, free and clear of any bond document encumbrances. Sarah Steele with Gillmore & Bell will be at the meeting to answer any questions.

Work Order for Professional Services, 2024 Street Preservation (Item C)

The City is ready to initiate design on the 2024 Street Preservation Program Projects. The City has been working with PEC to develop the 2024 Street Maintenance Plan. The agreement presented with this report includes fees to develop bidding documents and assist with the procurement of a contractor to perform this work. A contract for inspection services will be forthcoming. The cost of the improvements for these projects will be paid by the Street Maintenance Fund. Staff recommends that the City Council accept Work Order 24-04 from PEC in the amount of \$27,570.00 for the design, bidding and construction administration services (a work order for construction observation will be forthcoming) for the 2024 Street Preservation Program Projects.

Bid for Paving Improvements to Serve Aurora Park (Item D)

The received bids for this project were significantly higher than the original costs outlined in the January 2023 petition and the letter sent to residents. At the April 16th meeting, Council had a discussion about options moving forward, but ultimately decided to table the bids in order to get a more detailed cost breakdown from Garver. Ken Lee will be present for questions.

Charter Ordinance & Ordinance setting Referendum (Items E-F)

The Bel Aire City Council has expressed interest in exempting itself from the requirement to publish certain legal notices in a general circulation newspaper, a requirement created in K.S.A 12-1651. Maria has included a report in your packet, outlining the multi-step process. On the agenda tonight are two initial steps. Step one is passing a Charter Ordinance to empower the City to use self-publication. Step two is passing an Ordinary Ordinance to set the date of a referendum election. Holding the referendum vote during the primary election avoids any additional costs to the City, which was a major concern during previous City Council discussions. The estimated cost savings, were self-publication on the City's website put into use, would be approximately \$4,500.00 per year. Maria will be at the meeting to answer any questions.

Executive Session (XIII)

Staff does not have any need for an executive session.

Discussion And Future Issues (Item XIV)

The regularly scheduled workshop falls on May 14th at 6:30 p.m.