



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
February 07, 2023 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: Mark Posson

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. DETERMINE AGENDA ADDITIONS

VI. CONSENT AGENDA

A. Minutes of the January 17, 2023 City Council meeting.

B. Minutes of the January 30, 2023 City Council special meeting.

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

Motion ____ Second ____ Vote ____

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 23-02 in the amount of \$517,242.13.

Action: Motion to (approve / table / deny) Appropriations Ordinance No. 23-02.

Motion ____ Second ____ Vote ____

VIII. CITY REQUESTED APPEARANCES

A. Sedgwick County Commissioner Pete Meitzner

IX. 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.*

X. REPORTS

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

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration of the Mayors reappointments of Hilde Yops and Sylvia McCombs to the Tree Board for two year terms. Their new terms will expire on March 1, 2025.**

Action: Motion to (confirm / deny / table) Mayor Benage's reappointment of Hilde Yops and Sylvia McCombs to the Tree Board for two year terms.

Motion _____ Second _____ Vote _____

- B. Consideration of the Mayors appointment of Jim Benage to the Sedgwick County Fire District #1 Steering Council representing the City of Bel Aire. The term will be for a period of four years.**

Action: Motion to (confirm / deny / table) Mayor Benage's appointment of Jim Benage to the Sedgwick County Fire District # 1 Steering Council representing the City of Bel Aire.

Motion _____ Second _____ Vote _____

- C. Consideration of Accepting the Paving Petition for Cozy Drive.**

Action: Motion to (accept / deny / table) the Paving Petition for Cozy Drive.

Motion _____ Second _____ Vote _____

- D. Consideration of Accepting the Paving Petition for North Parkwood and 40th Street in Aurora Park.**

Action: Motion to (accept / deny / table) the Paving Petition for North Parkwood and 40th Street in Aurora Park.

Motion _____ Second _____ Vote _____

E. Consideration of A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Cozy Drive).

Action: Motion to (approve / deny / table) A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Cozy Drive) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

F. Consideration of A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Aurora Park).

Action: Motion to (approve / deny / table) A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Aurora Park) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

G. Consideration of Accepting A Letter of Intent to Issue IRB's and Provide Incentives for Construction of Speculative Facilities (Bayside Development, LLC).

Action: Motion to (accept / deny / table) A Letter of Intent to Issue IRB's and Provide Incentives for Construction of Speculative Facilities (Bayside Development, LLC) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

H. Consideration of an Ordinance for a Conditional Use (CON-22-02) Accessory Apartment in R-1 Zoning in Aurora Park.

Action: Motion to (accept / deny / table) an Ordinance for a Conditional Use (CON-22-02) Accessory Apartment in R-1 Zoning in Aurora Park.

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____ Mayor Jim Benage _____

I. Consideration of a quote for Sidewalk Installment Project from West Entrance of Central Park Avenue to Isley School on Woodlawn. Four quotes were received:

<u>Contractor</u>	<u>Amount</u>
Ruiz Concrete	\$29,982.00
Rochel Concrete	\$30,750.00
Calvin Opp Concrete	\$25,700.00
South Central Sealing & Paving	\$31,962.50

Action: Motion to (accept / deny / table) the quote from _____ in the amount not to exceed \$ _____ for Sidewalk Installment Project from West Entrance of Central Park Avenue to Isley School on Woodlawn, and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

J. Consideration Of An Ordinance Adopting The Codification Of Ordinances Of The City Of Bel Aire, Kansas, Providing For The Repeal Of Certain Other Ordinances Not Included Therein, Excepting Certain Ordinances From Repeal And Saving Certain Accrued Rights And Liabilities (2023 City Code).

Action: Motion to (approve / deny / table) the 2023 recodification ordinance, incorporating all changes as presented into the official City Code Book and publish to the City website.

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____

K. Consideration of accepting a bid for Bristol Hollows Phase 2 Paving Improvements. Four bids were received:

<u>Contractor</u>	<u>Total Bid</u>
<i>Engineer's Estimate</i>	<i>\$555,060.00</i>
Andale	\$626,000.00
Dondlinger	\$696,668.85
Kansas Paving	\$515,245.10
Prado	\$600,251.75

Action: Motion to (accept / deny / table) the bid from _____ in the amount of \$_____ for the Bristol Hollows Phase 2 Paving Improvements and authorize the Mayor to sign all related documents.

Motion _____ Second _____ Vote _____

L. Consideration of appointing a delegate and alternate delegate to the annual meeting of the Kansas Rural Water Association (KRWA).

Action: Motion to appoint _____ as the delegate and _____ as the alternate delegate to the annual meeting of the Kansas Rural Water Association and authorize the Mayor to sign all related documents.

Motion _____ Second _____ Vote _____

M. Consideration of Accepting the Bel Aire Land Bank 2021 Ending Sales and Financial Report.

Action: Motion to (accept and file / deny / table) the Bel Aire Land Bank 2021 Ending Sales and Financial Report.

Motion _____ Second _____ Vote _____

N. Consideration of Accepting City Attorney Jaci Kelly's letter of resignation dated February 3, 2023 with last day being March 9, 2023.

Action: Motion to accept City Attorney Kelly's letter of resignation dated February 3, 2023.

Motion _____ Second _____ Vote _____

XII. EXECUTIVE SESSION

A. Executive Session A

Action: Motion to go into executive session for the sole purpose of discussing the subject of: Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. Invite the City Manager, the City Attorney, Assistant City Manager, Keith Scarberry, Ken Lee, Brian Meier, Sarah Lohman, Dave Naaman and Jennifer Hill. The meeting will be for a period of (____) minutes, and the open meeting will resume in City Council Chambers at (_____) p.m.

Motion _____ Second _____ Vote _____

B. Executive Session B

Action: Motion to go into executive session for the sole purpose of discussing the subject of: matters of non-elected personnel contracted employees; pursuant to the KSA 75-4319 exception for the same. Invite the City Manager into this session. The meeting will be for a period of ____minutes, and the open meeting will resume in Council Chambers at _____p.m.

Motion _____ Second _____ Vote _____

XIII. DISCUSSION AND FUTURE ISSUES

- A. The next regularly scheduled workshop is on February 14th at 6:30 pm. That is Valentines Day, so will that day still work or should it be moved?

XIV. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments

- A. Rec Annual Reports 2022**
- B. Recreation Department Activities - December 2022**
- C. Manager's Report - February 7, 2023**

Notice

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



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
January 17, 2023 7:00 PM



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

II. ROLL CALL

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

Also present were Assistant City Manager Ted Henry, City Attorney Jacqueline Kelly, City Engineer Anne Stephens, and City Clerk Melissa Krehbiel, and Ken Lee of Garver

III. OPENING PRAYER: A moment of silent prayer was held.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS: There were no additions.

VI. CONSENT AGENDA

A. Approval of Minutes of the January 3, 2023 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 5-0.***

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance AP 23-01 in the amount of \$339,457.39.

MOTION: Councilmember Davied moved to approve Appropriations Ordinance AP 23-01. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES

A. Woodlawn Update - Pat Herman, Garver

Pat Herman provided an update on Woodlawn Avenue construction progress.

IX. CITIZEN CONCERNS: No one spoke.

X. REPORTS

A. Council Member Reports

Councilmember Dehn reported that he attended the January Bel Aire Chamber luncheon.

Councilmember Smith briefly reported on the most recent meeting of the SCAC. Sedgwick County Association of Cities.

Councilmember Hamburg reported she attended the most recent meeting of the Bel Aire Planning Commission. She thanked the commissioners for volunteering their time.

B. Mayor's Report

Mayor Benage reported on the temporary closure of 53rd street due to construction. He requested that City staff develop a plan to avoid simultaneous closures of 53rd and 45th Street. The plan may delay work on Woodlawn for 7-10 days, but should allow east-west traffic to continue in the area.

Mayor Benage briefly reported on the most recent meetings of the Bel Aire Utility Advisory Committee, the Sedgwick County Association of Cities (SCAC) and the Wichita Area Municipal Planning Authority (WAMPO). He also attended the swearing-in of the Sedgwick County Commissioners and a luncheon hosted by Senator Moran to welcome SpaceX to the area.

He reported that an open house will be held for the K-96 Improvement Project at the National Institute of Aviation Research (NIAR) from 5-7 pm on February 2nd. In other news, WAMPO is requesting input from citizens on their walking and biking path map; a link is available on the City's website. He also encouraged citizens to support businesses on Woodlawn during the construction.

C. City Attorney Report

City Attorney Kelly briefly reported on the first week of the state legislative session.

D. City Manager Report

Assistant City Manager Henry briefly reported on performance measures for the Utility Department, related to the growth of the City. In 2021, the Utility Department performed 1,300 move in /move outs. From 2019 to 2021 there was a 45% increase in E-bills issued by the department, while the number of printed bills has remained the same.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of the Mayor's appointment of Marty Couey, Logan Schrag, Chad Crittenden, and Sean T. Matheny to the Aurora Park Gravel Roads Task Force.

MOTION: Councilmember Hamburg moved to approve the Mayor's appointment of Marty Couey, Logan Schrag, Chad Crittenden, and Sean T. Matheny to the Aurora Park

Gravel Roads Task Force. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

B. Consideration of the Bel Aire Chamber of Commerce Funding Policy for 2023.

MOTION: Councilmember Welch moved to approve the Bel Aire Chamber of Commerce Funding Policy for 2023 and authorize the Mayor to sign. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

C. Consideration of accepting an engineering design option for 45th Street from Oliver to Woodlawn. Garver was selected as the design engineer and has provided two options for consideration:

Option A (Basic design of 3-lane with signalized intersection at Oliver) \$673,097.00.

Option B (Expanded design looking at round-about at Oliver and other possible improvements) \$739,702.00.

MOTION: Councilmember Smith moved to accept Option B from Garver for engineering design of 45th Street from Oliver to Woodlawn at a cost not to exceed \$739,702.00 and authorize the Mayor to sign all related documents. Councilmember Dehn seconded the motion. ***Motion carried 4-1*** with Councilmember Welch voting against the motion.

D. Consideration of a Legislative Priorities Letter for the 2023 State of Kansas legislative session.

MOTION: Councilmember Smith moved to approve A Legislative Priorities Letter for the 2023 State of Kansas legislative session as amended and authorize the Mayor to sign. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

E. Consideration of a bid from Kansas Paving for Repairs to 53rd Street in the amount of \$29,950.00.

MOTION: Councilmember Welch moved to accept the bid from Kansas Paving at a cost not to exceed \$29,950.00, for Repairs to 53rd Street (Woodlawn to Oliver) and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

XII. EXECUTIVE SESSION

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

The Council meeting was in recess from 8:38 p.m. to 8:43 p.m.

A. Executive Session

MOTION: Councilmember Welch moved to go into executive session for the sole purpose of discussion the subject of: Attorney-Client consultation regarding contractual

obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. Invite the Assistant City Manager, the City Attorney, Ken Lee, Brian Meier, Sarah Lohman, Dave Naaman and Jennifer Hill. The meeting will be for a period of 45 minutes, and the open meeting will resume in City Council Chambers at 9:30 p.m. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

MOTION: Councilmember Smith moved to extend the executive session for an additional 30 minutes with the open meeting to resume in Council Chambers at 10:05 p.m. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

MOTION: Councilmember Smith moved to extend the executive session for an additional 10 minutes with the open meeting to resume in Council Chambers at 10:17 p.m. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

B. Executive Session

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of matters of non-elected personnel contracted employees; pursuant to the KSA 75-4319 exception for the same. Invite Jacqueline Kelly into this session. The meeting will be for a period of 15 minutes, and the open meeting will resume in Council Chambers at 10:41 p.m. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

XIII. DISCUSSION AND FUTURE ISSUES: No discussion was held.

XIV. ADJOURNMENT

MOTION: Councilmember Welch moved to adjourn. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The meeting was adjourned at 10:45 p.m.



MINUTES CITY COUNCIL SPECIAL MEETING

7651 E. Central Park Ave, Bel Aire, KS

January 30, 2023 6:00 PM



I. CALL TO ORDER: Council President Justin Smith called the meeting to order at 6:00 p.m.

II. ROLL CALL

Present were Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, John Welch. Mayor Jim Benage attended via audio conference.

Also present were City Manager Ty Lasher, City Attorney Jaqueline Kelly, and Assistant City Manager Ted Henry.

III. EXECUTIVE SESSION

A. Executive Session A

MOTION: Councilmember Hamburg moved to go into executive session for the sole purpose of discussion the subject of: Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. Invite the City Manager, Assistant City Manager, City Attorney, and Ken Lee. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 6:17 p.m. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 6:25 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

MOTION: Councilmember Hamburg moved to extend the executive session for an additional 30 minutes and the open meeting will resume at 6:55 p.m. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 6:57 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

MOTION: Councilmember Welch moved to extend the executive session for an additional 10 minutes and the open meeting will resume at 7:06 p.m. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 7:07 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

B. Executive Session B

MOTION: Councilmember Welch moved to go into executive session for the exclusive purpose of discussing confidential commercial financial information pursuant to the KSA 75-4319 exceptions for Confidential Financial Data and Trade Secrets and to invite in the City Manager, Assistant City Manager, City Attorney and Kevin Cowan. The meeting will be for a period of 45 minutes, and the open meeting will resume in City Council Chambers at 7:58 p.m. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 7:52 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

MOTION: Councilmember Welch moved to extend the executive session for an additional 20 minutes, resuming at 8:20 p.m. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 8:24 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

MOTION: Councilmember Welch moved to extend the executive session for an additional 20 minutes, returning at 8:45 p.m. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 8:48 p.m. Council President Smith called the meeting back to order in open session. He stated no binding action was taken.

IV. ADJOURNMENT

MOTION: Councilmember Welch moved to adjourn. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The meeting adjourned at 8:49 p.m.

AP ORD 23-02

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
GENERAL					
AFLAC	EMPLOYEE MONTHLY PREMIUM		591.73	1281519	1/17/23
AT&T	INTERNET BACKUP		105.00	1281520	1/29/23
BEALL & MITCHELL, LLC	01/23 JUDGE TERRY BEALL		1,237.98	68757	1/17/23
BLUE CROSS & BLUE SHIELD OF KS	02/23 ID:0421210		38,659.61	1281521	1/23/23
BRENTS TOWING	#29 ADMIN:DEAD BATTERY		80.00	1281588	1/23/23
BROOK WILSON	REFUND:BASKETBALL		58.00	68758	1/17/23
CARRABBAS 6702	STAFF HOLIDAY MEAL		202.50	1281588	1/23/23
CHARLIES CAR WASH LLC	FLEET CAR WASH		100.00	1281588	1/23/23
CHICK-FIL-A	PD STAFF HOLIDAY MEAL		330.79	1281588	1/23/23
CHILIS #225	DECEMBER MEAL WITH MANGER		110.38	1281588	1/23/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		743.03	1281476	1/16/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		80.12	1281475	1/16/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		194.64	1281477	1/16/23
WICHITA WATER CONDITIONING, INC	WATER SERVICE		43.50	1281522	1/17/23
DELTA DENTAL PLAN of KANSAS	01/23 MONTHLY PREMIUM		2,394.93	68759	1/17/23
DIGITAL OFFICE SYSTEMS	OVERAGE 12/8-01/07		108.61	68760	1/17/23
DILLONS #0056	REC STAFF MEAL, SR HOLIDAY MEAL		175.52	1281588	1/23/23
EMPORIA FAST N FRIENDLY	#28 ADMIN FUEL		37.27	1281588	1/23/23
EMPOWER RETIREMENT 457	EMP VLNTRY 457		150.00	1281518	1/18/23
EPIC SPORTS, INC.	REC:BASKETBALLS/BB SUPPLIES		155.62	1281588	1/23/23
ENVIRONMENTAL SYSTEMS RESERACH	GIS SOFTWARE RENEWAL		800.00	68761	1/17/23
FEDERAL EXPRESS CORPORATION	SHIP RETIRED STAFF PLAQUE		17.47	1281588	1/23/23
FICA/FEDERAL W/H	FED/FICA TAX		18,345.95	1281514	1/18/23
GALLS, LLC	PD UNIFORMS/SUPPLIES		53.92	68762	1/17/23
HAWKS INTER-STATE PESTMASTERS	01/23:PEST CONTROL		174.52	68763	1/17/23
HOLIDAY INN EXPRESS HOTEL	KACM CONF:T LASHER		284.08	1281588	1/23/23
INDEED	PD JOB POSTINGS		470.00	1281588	1/23/23
KS ASSOC OF CITY/COUNTY MNGMT	2023 MEMBERSHIP:HENRY		400.00	68766	1/17/23
KS EMPLOYMENT SECURITY FUND	1ST QTR 2023 UNEMPLOYMENT		372.63	1281531	1/13/23
KANSAS DEPT OF REVENUE	STATE TAX		3,212.83	1281517	1/18/23
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		346.07	1281528	1/26/23
KANSAS GAS SERVICE	GAS SVC:REC		1,211.07	1281529	1/26/23
KANSAS GAS SERVICE	GAS SVC:CH		1,158.48	1281527	1/26/23
KANSAS GAS SERVICE	GAS SVC:POOL		227.11	1281526	1/26/23
K M I T	2023 WORKERS COMP INS PREMIUM		40,721.00	68770	1/17/23
KANSAS MUNICIPAL JUDGES ASSOC	2023 KMJA DUES/TERRY BEALL		25.00	68771	1/17/23
K P E R S	KPERS TIER 3		11,837.07	1281516	1/18/23
THE UNIVERSITY OF KANSAS	ESSENTIAL SPANISH-LAW ENFORCEM		75.00	68772	1/17/23
LAUTZ LAW LLC	CRT APPTD DEFENSE ATTY		272.00	68773	1/17/23
LOS CUNADOS MEXICAN GRILL	REC STAFF HOLIDAY MEAL		143.00	1281588	1/23/23
MICHAELS	DAY CAMP SUPPLES		21.92	1281588	1/23/23
NAT'L BUSINESS INSTITUTE	LEGAL TRAINING:J KELLY		51.83	1281588	1/23/23
NIFTY NUT HOUSE	STAFF YEARS OF SERVICE AWARDS		374.00	1281588	1/23/23
OLIVE GARDEN	SR HOLIDAY MEAL		300.72	1281588	1/23/23
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	682.92		1281535	1/20/23
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	955.24		1281536	1/13/23
PAYLOCITY CORPORATION	FSA EMPLOYEE EXPENSE	32.30	1,670.46	1281537	1/20/23
PITNEY BOWES GLOBAL FINANCIAL	MONTHLY POSTAGE		500.00	1281538	1/18/23
QUICK TRIP	#28 ADMIN FUEL		24.56	1281588	1/23/23
WORKFORCE ALLIANCE S CENTRAL K	2023 REAP ANNUAL ASSESSMENT		2,352.00	68776	1/17/23
SAMSLUB #6418	VOLUNTEER APPRECAITION MEAL SU		916.21	1281588	1/23/23
SEDG COUNTY ASSOC OF CITIES	2023 MEMBERSHIP DUES		150.00	68777	1/17/23

CLAIMS REPORT

Vendor Checks: 1/11/2023- 1/30/2023

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
SHERWIN WILLIAMS 707563	PAINT THINNER		15.55	68778	1/17/23
RASHELL D LASHBROOK	02/23 JANITORIAL SVC		2,618.19	68779	1/17/23
SPRINGHILL SUITES BY MARRIOTT	LKM BOARD MTG:T ALSHER		102.00	1281588	1/23/23
SURENCY LIFE & HEALTH INS CO	VISION INSURANCE		346.61	1281539	1/23/23
TENNESSEE BUREAU OF INVESTIGAT	CMB LICENSE BACKGRD CK DOLLAR		29.00	1281588	1/23/23
UNDERGROUND VAULTS & STORAGE	DOCUMENT SHREDDING		10.00	68780	1/17/23
ICMA RETIREMENT 304804	CITY MGR 457		1,074.23	1281515	1/18/23
WAL-MART #1507	DAY CAMP, COUNCIL SNACKS		223.70	1281588	1/23/23
WAV SERVICES INC	FEB-JUL'23 COUNCIL VIDEO RETAI		3,840.00	68782	1/17/23
WEX BANK	FLEET FUEL		2,106.31	1281541	1/17/23
WICHITA STATE UNIVERSITY	2023 LOCAL GOVT NETWORK MEMBER		1,150.00	68783	1/17/23

	01 GENERAL TOTAL		143,583.72		
WATER UTILITY					
BANK OF NEW YORK MELLON TRUST	DW-2022-06 WATER DEBT SVC		93,040.97	1281523	1/15/23
BLUE CROSS & BLUE SHIELD OF KS	02/23 ID:0421210		5,065.35	1281521	1/23/23
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.48	1281474	1/13/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		60.48	1281476	1/16/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.15	1281475	1/16/23
DELTA DENTAL PLAN of KANSAS	01/23 MONTHLY PREMIUM		272.17	68759	1/17/23
EMPOWER RETIREMENT 457	EMP VLNTRY 457		12.00	1281518	1/18/23
FICA/FEDERAL W/H	FED/FICA TAX		2,389.33	1281514	1/18/23
KANSAS MUNICIPAL UTILITIES	2023 KMU MEMBERSHIP DUES		704.00	68765	1/17/23
KDHE	4TH QTR 2022 ANALYTICAL SVC		336.00	68767	1/17/23
KS EMPLOYMENT SECURITY FUND	1ST QTR 2023 UNEMPLOYMENT		42.00	1281531	1/13/23
KANSAS DEPT OF REVENUE	STATE TAX		431.32	1281517	1/18/23
KANSAS DEPT OF REVENUE	12/22 SALES TAX		887.31	1281532	1/13/23
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP		415.29	1281528	1/26/23
KANSAS GAS SERVICE	GAS SVC:PUMPHOUSE		244.15	1281530	1/26/23
KANSAS GAS SERVICE	GAS SVC:CH		94.29	1281527	1/26/23
K M I T	2023 WORKERS COMP INS PREMIUM		5,254.00	68770	1/17/23
K P E R S	KPERS TIER 3		1,659.38	1281516	1/18/23
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT		1,345.75	68774	1/17/23
MIDWEST SINGLE SOURCE, INC	FOLDING MACHINE SUPPLIES		35.90	68775	1/17/23
POSTMASTER	01/23 POSTAGE:UTILITY BILLS		435.52	68784	1/19/23
RASHELL D LASHBROOK	02/23 JANITORIAL SVC:PW		103.22	68779	1/17/23
SURENCY LIFE & HEALTH INS CO	VISION INSURANCE		53.04	1281539	1/23/23
THE HOME DEPOT 2204	PW MATERIALS/SUPPLIES		386.14	1281588	1/23/23
USPS PO 1946750085	MAIL WATER SAMPLES		39.45	1281588	1/23/23
UTILITY SERVICE CO, INC	S WATER TWR MAINT CONTRACT		5,045.50	68781	1/17/23
WEX BANK	FUEL		141.68	1281541	1/17/23

	02 WATER UTILITY TOTAL		118,667.87		
SEWER UTILITY					
BANK OF NEW YORK MELLON TRUST	WW-2022-06 WW DEBT SVC		99,861.64	1281523	1/15/23
BLUE CROSS & BLUE SHIELD OF KS	02/23 ID:0421210		5,504.23	1281521	1/23/23
COX COMMUNICATIONS, INC	I.T.BACKUP:WATER TOWER		77.47	1281474	1/13/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		60.48	1281476	1/16/23
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC		96.15	1281475	1/16/23
DELTA DENTAL PLAN of KANSAS	01/23 MONTHLY PREMIUM		220.02	68759	1/17/23
EMPOWER RETIREMENT 457	EMP VLNTRY 457		430.00	1281518	1/18/23

CLAIMS REPORT

Vendor Checks: 1/11/2023- 1/30/2023

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
FICA/FEDERAL W/H	FED/FICA TAX	1,907.84	1281514	1/18/23	
JCI INDUSTRIES, INC.	DIAGNOSE/REPAIR ROCK LIFT ST	2,525.00	68764	1/17/23	
KANSAS MUNICIPAL UTILITIES	2023 KMU MEMBERSHIP DUES	704.00	68765	1/17/23	
KS EMPLOYMENT SECURITY FUND	1ST QTR 2023 UNEMPLOYMENT	44.00	1281531	1/13/23	
KANSAS DEPT OF REVENUE	STATE TAX	310.21	1281517	1/18/23	
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP	415.29	1281528	1/26/23	
KANSAS GAS SERVICE	GAS SVC:CH	94.29	1281527	1/26/23	
K M I T	2023 WORKERS COMP INS PREMIUM	7,321.00	68770	1/17/23	
K P E R S	KPERS TIER 3	1,310.48	1281516	1/18/23	
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT	1,345.75	68774	1/17/23	
MIDWEST SINGLE SOURCE, INC	FOLDING MACHINE SUPPLIES	35.90	68775	1/17/23	
POSTMASTER	01/23 POSTAGE:UTILITY BILLS	435.52	68784	1/19/23	
RASHELL D LASHBROOK	02/23 JANITORIAL SVC:PW	103.19	68779	1/17/23	
SURENCY LIFE & HEALTH INS CO	VISION INSURANCE	72.47	1281539	1/23/23	
WEX BANK	FUEL	27.50	1281541	1/17/23	
	03 SEWER UTILITY TOTAL		122,902.43		
SPECIAL STREET & HIWAY					
AFLAC	EMPLOYEE MONTHLY PREMIUM	262.71	1281519	1/17/23	
BLUE CROSS & BLUE SHIELD OF KS	02/23 ID:0421210	2,319.30	1281521	1/23/23	
COX COMMUNICATIONS, INC	INTERNET/PHONE SVC	48.07	1281475	1/16/23	
EVERGY KANSAS CENTRAL INC	ELEC SVC:STREET LIGHTING	7,799.73	1281524	1/17/23	
FICA/FEDERAL W/H	FED/FICA TAX	529.37	1281514	1/18/23	
HOLIDAY INN EXPRESS HOTEL	CONFERENCE HOTEL:A STEPHENS	103.88	1281588	1/23/23	
KS EMPLOYMENT SECURITY FUND	1ST QTR 2023 UNEMPLOYMENT	10.00	1281531	1/13/23	
KANSAS DEPT OF REVENUE	STATE TAX	80.01	1281517	1/18/23	
KANSAS GAS SERVICE	GAS SVC:MAINT SHOP	207.64	1281528	1/26/23	
K M I T	2023 WORKERS COMP INS PREMIUM	2,123.00	68770	1/17/23	
K P E R S	KPERS	391.17	1281516	1/18/23	
SURENCY LIFE & HEALTH INS CO	VISION INSURANCE	17.23	1281539	1/23/23	
WEX BANK	FUEL	219.53	1281541	1/17/23	
	04 SPECIAL STREET & HIWAY TOTAL		14,111.64		
CAPITAL PROJECTS					
KANSAS DEPT OF TRANSPORTATION	RAIL SPUR LOAN PYMNT #89	3,877.06	68768	1/17/23	
	09 CAPITAL PROJECTS TOTAL		3,877.06		
SOLID WASTE UTILITY					
WASTE CONNECTIONS OF KANSAS	12/22 RECYCLE OR TRASH SVC	39,254.63	1281540	1/23/23	
	12 SOLID WASTE UTILITY TOTAL		39,254.63		
	Accounts Payable Total		442,397.35		

Payroll Checks

01	GENERAL	59,903.51
02	WATER UTILITY	7,785.14

CLAIMS REPORT
Vendor Checks: 1/11/2023- 1/30/2023

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK CHECK# DATE
	03 SEWER UTILITY		5,421.38	
	04 SPECIAL STREET & HIWAY		1,734.75	

	Total Paid On: 1/18/23		74,844.78	
			=====	
	Total Payroll Paid		74,844.78	
			=====	
	Report Total		517,242.13	
			=====	

RESOLUTION NO. 913-2022DATE PUBLISHED: 12/8/2022

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS SITTING AS THE GOVERNING BODY FOR
SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE TO CREATE THE
SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE STEERING COUNCIL**

WHEREAS, the Board of County Commissioners sits as the governing body for Sedgwick County Fire District Number One; and

WHEREAS, the Board of County Commissioners sitting as the governing body for the Fire District may exercise the powers indicated within K.S.A. 19-3601a, including doing all things necessary to effectuate the purposes of K.S.A. 19-3601, *et seq.*; and

WHEREAS, in order to most effectively exercise the powers as the governing body for Sedgwick County Fire District Number One, the Board of County Commissioners wishes to establish a Sedgwick County Fire District Number One Steering Council to generally advise and make recommendations to the Board on matters that pertain to Sedgwick County Fire District Number One; and

WHEREAS, consistent with the principles of a representative democracy, the Board of County Commissioners intends for the Sedgwick County Fire District Number One Steering Council to be comprised of Sedgwick County Fire District Number One taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS SITTING AS THE GOVERNING BODY FOR SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE that:

Section 1. Creation.

For the purpose of advising the Board of County Commissioners on matters pertaining to Sedgwick County Fire District Number One, the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One hereby creates the Sedgwick County Fire District Number One Steering Council ("Steering Council").

Section 2. Composition.

The Steering Council shall be comprised of the following nine (9) members, with such members' staggered term lengths specified alongside each such member position:

- A. Five (5) members shall be put forward for potential appointment by cities located within Sedgwick County Fire District Number One. Each of the city councils for the cities included in this subsection shall be entitled to appoint one (1) individual to the Steering Council who meets the applicable specifications outlined within Section 2.C. of this resolution and then convey a written notice of such intended appointment to the Board of

County Commissioners. Such cities shall include:

1. City of Goddard (each term shall be for 4 years);
 2. City of Maize (the initial term shall be for 2 years and all subsequent terms shall be for 4 years);
 3. City of Park City (each term shall be for 4 years);
 4. City of Haysville (the initial term shall be for 2 years and all subsequent terms shall be for 4 years); and
 5. City of Bel Aire (each term shall be for 4 years).
- B. Four (4) members, specifically listed within Section 2.B.1. through 4. of this resolution, appointed at-large who meet the applicable specifications outlined within Section 2.C. of this resolution by the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One.
1. At-large Member #1 (each term shall be for 4 years)—Unincorporated Area;
 2. At-large Member #2 (each term shall be for 4 years)—Sedgwick County Association of Cities;
 3. At-large Member #3 (the initial term shall be for 2 years and all subsequent terms shall be for 4 years)—Unincorporated Area; and
 4. At-large Member #4 (the initial term shall be for 2 years and all subsequent terms shall be for 4 years)—Aircraft Manufacturing.
- C. Specifications for Steering Council member eligibility
1. Steering Council members appointed by city councils pursuant to Section 2.A. of this resolution must meet one (1) or both of the following qualifications:
 - (a) such person has owned his or her residence that is subject to *ad valorem* property taxation by Sedgwick County Fire District Number One and within the appointing city for at least two (2) years at the time of appointment; or
 - (b) such person has owned a business that owns real property that is subject to *ad valorem* property taxation by Sedgwick County Fire District Number One and within the appointing city for at least two (2) years at the time of appointment.
 2. Steering Council members appointed by the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One pursuant to Section 2.B. of this resolution must meet the following qualifications for their respective positions:
 - (a) At-large Members #1 and #3—Unincorporated Area
 - (1) Such person has owned his or her residence that is subject to *ad valorem* property taxation by Sedgwick County Fire District Number One and is located in the unincorporated area of Sedgwick County for at least two (2) years at the time of appointment; or

- (2) such person has owned a business that owns real property subject to *ad valorem* property taxation by Sedgwick County Fire District Number One and is located in the unincorporated area of Sedgwick County for at least two (2) years at the time of appointment.
 - (b) At-large Member #2—Appointment by Sedgwick County Association of Cities
 - (1) Such person has been put forward for potential appointment to the Steering Council by the Sedgwick County Association of Cities; and
 - (2) such person has owned his or her residence that is subject to *ad valorem* property taxation by Sedgwick County Fire District Number One that is located within a city not included within Section 2.A. of this resolution for at least two (2) years at the time of appointment; or
 - (3) such person has owned a business that owns real property that is subject to *ad valorem* property taxation by Sedgwick County Fire District Number One and within a city not included within Section 2.A. of this resolution for at least two (2) years at the time of appointment.
 - (c) At-large Member #4—Aircraft Manufacturing
 - (1) Such person has been put forward for potential appointment to the Steering Council by an aircraft manufacturing company that owns real property within Sedgwick County Fire District Number One and employs not less than 5,000 employees within Sedgwick County.
 - (d) Unfilled Vacancies—In the event that any of the Steering Council positions identified within Section 2.B. of this resolution shall remain unfilled due to a lack of candidates meeting the specified qualifications, the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One is authorized, by a two-thirds (2/3) vote, to fill such vacancies with any person who has owned his or her residence that is subject to *ad valorem* property taxes within Sedgwick County Fire District Number One for at least two (2) years at the time of appointment.
- 3. When city councils makes recommendations for appointment and when the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One makes appointments to the Steering Council, preference shall be given to individuals who possess at least five (5) years of experience in any the following: accounting, human resources, practice of law, and ownership or management of a business with at least 25 employees.
 - 4. Sedgwick County Fire District Number One employees shall not be eligible for

appointment to the Steering Council.

5. Members appointed to the Steering Council shall generally reflect the diversity of the community comprising Sedgwick County Fire District Number One. Such diversity shall include, but not be limited to, diversity of sex, race, age, and geography.
 6. The Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One will generally utilize the process outlined within Sedgwick County Policy 1.105, enacted within Sedgwick County Resolution No. 229-2019, for the public announcement and consideration of applicants for appointment to the Steering Council pursuant to Section 2.B.1. and 3. of this resolution.
- D. In the event a member of the Steering Council does not complete their term, any member appointed to fill such vacancy shall be appointed to serve the remainder of the unexpired term.
 - E. Members of the Steering Council shall not serve more than two (2) four-year terms as a member of the Steering Council. Any partial term a member may serve pursuant to Section 2.D. of this resolution or an initial two-year term shall not count as a term for purposes of this term limitation.
 - F. Members of the Steering Council serve at the pleasure of the Board of County Commissioners sitting as the governing body of Sedgwick County Fire District Number One.
 - G. If a member of the Steering Council no longer meets the member eligibility specifications stated within this section (e.g., if such member is no longer a Sedgwick County Fire District Number One taxpayer due to moving out of the district), such member shall submit their resignation from the Steering Council.

Section 3. Purpose.

The Steering Council shall act in an advisory capacity only to the Board of County Commissioners sitting as the governing body for Sedgwick County Fire District Number One. The scope of the Steering Council shall include any matters pertaining to Sedgwick County Fire District Number One, except those items specifically excluded in Section 3.B.

- A. Items the Steering Council may advise upon include, but are not limited to the following: human resources policies, information technology, salary and pay policies, operation and staffing of fire stations, and any operational policies of Sedgwick County Fire District Number One.
- B. The Steering Council would not act in an advisory capacity or have access to information regarding matters pertaining to specific individuals' employment and/or disciplinary matters, information protected by attorney-client privilege, and other private, personal, or otherwise confidential information.

Section 4. Meetings.

All meetings of the Steering Council shall be held in accordance with the Kansas Open Meetings Act (K.S.A. 75-4317, *et seq.*) and such meetings shall be held within property owned by Sedgwick County Fire District Number One. The Sedgwick County Fire Chief or his/her designee(s) shall staff Steering Council meetings. The Sedgwick County Fire Chief or his/her designee(s) shall be responsible for ensuring compliance with the Kansas Open Meetings Act, receiving requests for notice of meetings, and, if applicable, the preparation of agendas for Steering Council meetings.

Section 5. Effective Date.

This resolution shall become effective upon its publication.

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Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

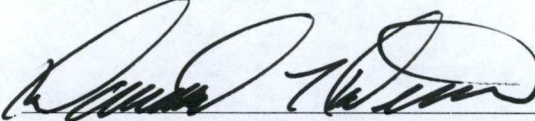
Dated this 16th day of November, 2022.

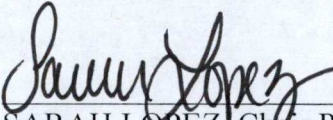
ATTEST:


KELLY B. ARNOLD, County Clerk

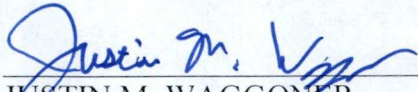


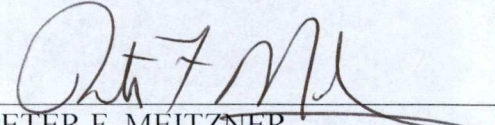
BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS
SITTING AS THE GOVERNING BODY
OF SEDGWICK COUNTY FIRE
DISTRICT NUMBER ONE

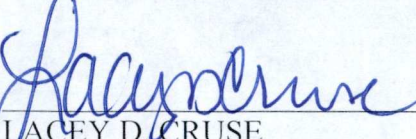

DAVID T. DENNIS, Chairman
Commissioner, Third District

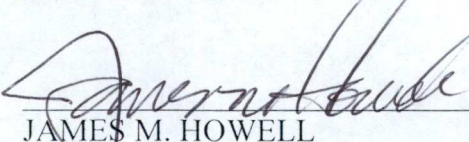

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:


JUSTIN M. WAGGONER
Deputy County Counselor


PETER F. MEITZNER
Commissioner, First District


LACEY D. CRUSE
Commissioner, Fourth District


JAMES M. HOWELL
Commissioner, Fifth District

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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, 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 pavement on **COZY DRIVE** from the north line of 37th Street North to and including cul-de-sac.

That said pavement on Summerside Place and Toben Drive 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 and one-half (2-1/2) feet in width; making a total roadway width of thirty-one (31) 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 improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), 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 May 1, 2022.
- (b) That the estimated and probable cost of the foregoing improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), with the cost to be payable by the improvement district as outlined below. 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 July 1, 2022.

- (c) The City of Bel Aire, Kansas will pay \$105,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder 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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, Block A

Lots 1-9 Cozy Homes Addition shall each pay 1/11 of the total cost of the improvements. Lot 1, Block A, M.K. Mosteller Addition shall pay 2/11 of the total cost of 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.

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

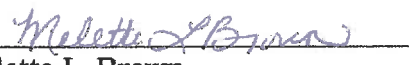
WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION	SIGNATURE	DATE
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Lot 8 Cozy Homes Addition

3910 N. Cozy Drive

By:		<u>01-03-2023</u>
	Jeffrey R. Brown	

By:		<u>01-03-2023</u>
	Melette L. Brown	

FILED
JAN 03 2022
City Clerk

Lot 8 Cozy Homes Addition
3910 N. Cozy Drive

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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, 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 pavement on **COZY DRIVE** from the north line of 37th Street North to and including cul-de-sac.

That said pavement on Summerside Place and Toben Drive 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 and one-half (2-1/2) feet in width; making a total roadway width of thirty-one (31) 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 improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), 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 May 1, 2022.
- (b) That the estimated and probable cost of the foregoing improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), with the cost to be payable by the improvement district as outlined below. 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 July 1, 2022.

Lot 2 Cozy Homes Addition
3809 N. Cozy Drive

- (c) The City of Bel Aire, Kansas will pay \$105,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder 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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, Block A

Lots 1-9 Cozy Homes Addition shall each pay 1/11 of the total cost of the improvements. Lot 1, Block A, M.K. Mosteller Addition shall pay 2/11 of the total cost of 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.

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

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

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>Lot 2 Cozy Homes Addition</u> 3809 N. Cozy Drive	By: <u>Timothy R. Kloth</u> Timothy R. Kloth	<u>7-11-22</u>
	By: <u>Sandra L. Kloth</u> Sandra L Kloth	<u>7-11-22</u>

Lot 2 Cozy Homes Addition
3809 N. Cozy Drive

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

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

Lot 7 Cozy Homes Addition

3921 N. Cozy Drive

By:  7-14-2022
Judith Lemuz

By:  7/14/2022
Scott Lemuz

Lot 7 Cozy Homes Addition
3921 N. Cozy Drive

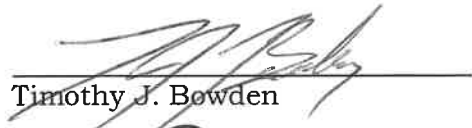
WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

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

Lot 6 Cozy Homes Addition

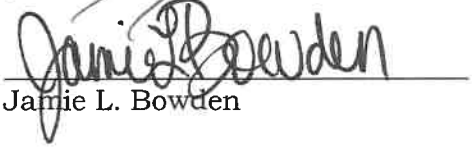
3911 N. Cozy Drive

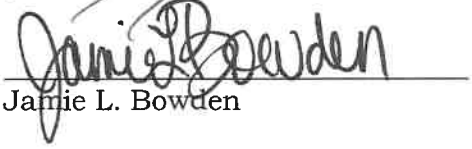
By:


Timothy J. Bowden


7/20/2022

By:


Jamie L. Bowden


8/4/22

Lot 6 Cozy Homes Addition
3911 N. Cozy Drive

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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, 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 pavement on **COZY DRIVE** from the north line of 37th Street North to and including cul-de-sac.

That said pavement on Summerside Place and Toben Drive 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 and one-half (2-1/2) feet in width; making a total roadway width of thirty-one (31) 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 improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), 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 May 1, 2022.
- (b) That the estimated and probable cost of the foregoing improvement being Four Hundred Sixty-Five Thousand Dollars (\$465,000), with the cost to be payable by the improvement district as outlined below. 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 July 1, 2022.

Lot 1, Block A M.K. Mosteller Addition
5910 E. 37th St N

- (c) The City of Bel Aire, Kansas will pay \$105,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder 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:

Cozy Homes Addition

Lots 1 - 9

M. K. Mosteller Addition

Lot 1, Block A

Lots 1-9 Cozy Homes Addition shall each pay 1/11 of the total cost of the improvements. Lot 1, Block A, M.K. Mosteller Addition shall pay 2/11 of the total cost of 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.

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.

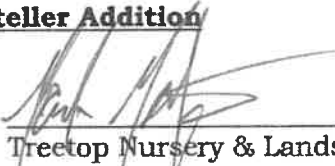
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4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by 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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

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

LEGAL DESCRIPTION	SIGNATURE	DATE
Lot 1, Block A M.K. Mosteller Addition 5910 E. 37th St N	 By: _____ Treetop Nursery & Landscape Inc.	<u>1/3/2023</u>

FILED
JAN 03 2022
City Clerk

Lot 1, Block A M.K. Mosteller Addition
5910 E. 37th St N

PAVING PETITION

To the Mayor and City Council
Bel Aire, Kansas

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Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, Block A

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Lot 9 Cozy Homes Addition
3820 N. Cozy Drive

- (c) The City of Bel Aire, Kansas will pay \$105,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder 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.

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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:

Cozy Homes Addition

Lots 1 – 9

M. K. Mosteller Addition

Lot 1, Block A

Lots 1-9 Cozy Homes Addition shall each pay 1/11 of the total cost of the improvements. Lot 1, Block A, M.K. Mosteller Addition shall pay 2/11 of the total cost of 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.

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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.

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

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

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

LEGAL DESCRIPTION	SIGNATURE	DATE
<u>Lot 9 Cozy Homes Addition</u> 3820 N. Cozy Drive	 By: _____ Treetop Nursery & Landscape Inc.	<u>1/3/2023</u>

FILED

JAN 03 2022

City Clerk

Lot 9 Cozy Homes Addition
3820 N. Cozy Drive

Cozy Drive Paving Petition Exhibit



BENEFIT DISTRICT

© 2022 GARVER, LLC - THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGNS CONVEYED HEREIN, SHALL BE CONSIDERED INSTRUMENTS OF PROFESSIONAL SERVICE AND ARE PROPERTY OF GARVER, LLC. ANY USE, REPRODUCTION, OR DISTRIBUTION OF THIS DOCUMENT, ALONG WITH THE IDEAS AND DESIGN CONTAINED HEREIN, IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY GARVER, LLC OR EXPLICITLY ALLOWED IN THE GOVERNING PROFESSIONAL SERVICES AGREEMENT FOR THIS WORK.



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

COZY DRIVE PAVING
PETITION EXHIBIT

FIGURE NUMBER

SHEET NUMBER 1

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

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

- (a) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 2

Lot 3, Block F

4170 4164 N. Parkwood Avenue

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The above listed lots, parcels and tracts shall each pay 1/22 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.

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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.

Lot 2
 Lot 3, Block F
 4170 4164 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 2
Lot 3, Block F
4170 4164 N. Parkwood Avenue

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

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

Lot 2, Block F Aurora Park
4170 N. Parkwood Avenue

By:	<u>Leon R. Amey, trustee</u> Leon R. Amey Leon R & Betty A Amey Living Trust	<u>1/18/2023</u>
By:	<u>Betty A. Amey, trustee</u> Betty A. Amey Leon R & Betty A Amey Living Trust	<u>1/18/2023</u>

FILED
JAN 19 2023
City Clerk

Lot 2
~~Lot 3~~, Block F
4170 ~~4164~~ N. Parkwood Avenue

Aurora Park Asphalt Mat Pavment
November 2, 2022

Section XI, Item D.

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

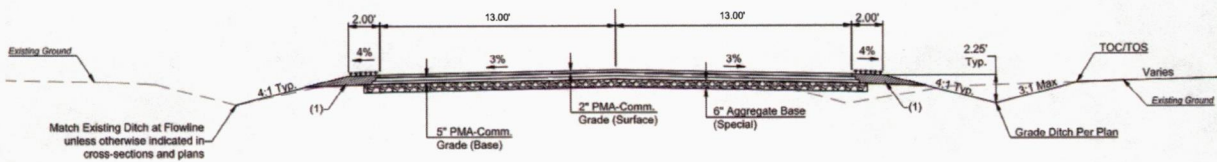
City Contribution \$96,000


Net Cost to Benefit District \$581,085

Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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	1995 Midfield Road Wichita, KS 67209 (316) 264-8008	Aurora Park Paving Exhibit	SHEET NUMBER
			1

PAVING PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

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Lots 18 – 26, Block G

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Lot 3, Block F
4164 N. Parkwood Avenue

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Lot 3, Block F
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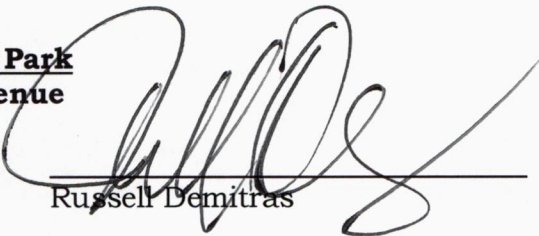
(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 3, Block F
4164 N. Parkwood Avenue

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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Lot 3, Block F Aurora Park
4164 N. Parkwood Avenue

By:		<u>12/10/22</u>
-----	--	-----------------

Russell Demitras

By:	<u>Suzanne M. Demitras</u>	<u>12-10-22</u>
-----	----------------------------	-----------------

Suzanne M. Demitras

FILED
JAN 03 2023 MAK
City Clerk

Lot 3, Block F
4164 N. Parkwood Avenue

PAVING PETITION

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

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Lots 1 – 9, Block F
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That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

4
Lot 5, Block F

4152 4140 N. Parkwood Avenue

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
 Lots 1 – 9, Block F
 Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

4
 Lot 3, Block F

4152 4140 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

4152⁴ Lot 5, Block F
4140 N. Parkwood Avenue

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

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

Lot 4, Block F Aurora Park
4152 N. Parkwood Avenue

By:	<u>William Jeffrey White</u>	<u>12/10/22</u>
	William Jeffrey White	
	William Jeffrey White & Connie Lu Revocable Trust	
By:	<u>Connie Lu</u>	<u>12/10/22</u>
	Connie Lu	
	William Jeffrey White & Connie Lu Revocable Trust	

FILED
JAN 03 2023 max
City Clerk

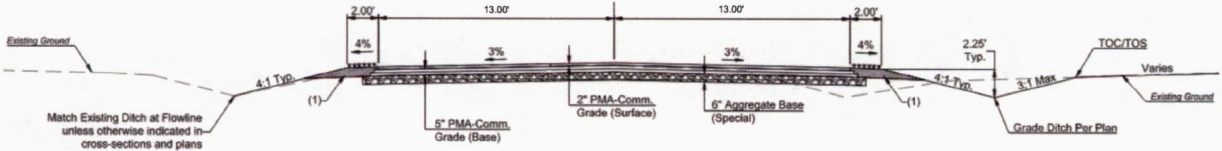
4
4152 Lot 4, Block F
4140 N. Parkwood Avenue

Aurora Park Asphalt Mat Pavment
November 2, 2022

[illegible]

City Contribution	\$96,000
Net Cost to Benefit District	\$581,085
Full Cost / Lot (22 shares)	\$26,412.95
Cost per month	\$146.49

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

PAVING PETITION

DEC 21 2022

City Clerk

To the Mayor and City Council
Bel Aire, Kansas

Dear Council Members:

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

Aurora Park

Lot 1 and Lots 20 – 21, Block E

Lots 1 – 9, Block F

Lots 18 – 26, Block G

Parcel in Aurora Park

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

- (b) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 5, Block F
4140 N. Parkwood Avenue

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.

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Lots 1 – 9, Block F
Lots 18 – 26, Block G

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The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 5, Block F
4140 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 5, Block F
4140 N. Parkwood Avenue

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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Lot 5, Block F Aurora Park
4140 N. Parkwood Avenue

By:	<u></u>	<u>12-16-22</u>
	Paul E. Dohm	

By:	<u></u>	<u>12/16/22</u>
	Amy E. Dohm	

Filed
Dec 21, 2022
City Clerk

Lot 5, Block F
4140 N. Parkwood Avenue

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

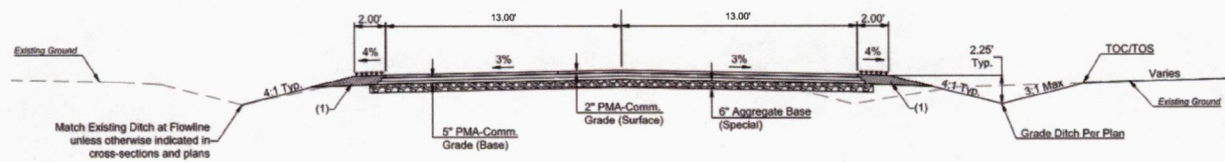
City Contribution \$96,000

Net Cost to Benefit District \$581,085

Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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	1995 Midfield Road Wichita, KS 67209 (316) 264-8008	Aurora Park Paving Exhibit	SHEET NUMBER
			1

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

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- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 6, Block F
4128 N. Parkwood Avenue

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.

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Lots 1 – 9, Block F
Lots 18 – 26, Block G

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The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 6, Block F
4128 N. Parkwood Avenue

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.

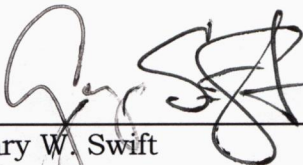
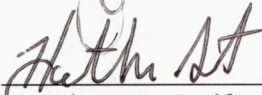
(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 6, Block F
4128 N. Parkwood Avenue

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LEGAL DESCRIPTION	SIGNATURE	DATE
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Lot 6, Block F Aurora Park
4128 N. Parkwood Avenue

By:		<u>12/10/22</u>
	Gary W. Swift	
By:		<u>12/16/22</u>
	Heather M. Swift	

FILED
JAN 03 2023 *med*
City Clerk

Lot 6, Block F
4128 N. Parkwood Avenue

Aurora Park Asphalt Mat Pavment
November 2, 2022

Section XI, Item D.

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
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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
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Seeding, Permanent	1	LS	7,500.00	7,500.00
BMP, Temporary Seeding	1	LS	2,500.00	2,500.00
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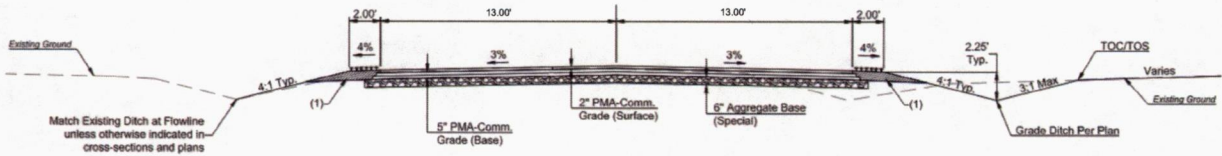
City Contribution \$96,000

Net Cost to Benefit District \$581,085


Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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 <div>1995 Midfield Road Wichita, KS 67209 (316) 264-8008</div>	Aurora Park Paving Exhibit		<div>FIGURE NUMBER</div> <div>SHEET NUMBER 1</div>
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PAVING PETITION

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Aurora Park

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Lot 7, Block F
No Address

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Lot 7, Block F
 No Address

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 7, Block F
No Address

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

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

Lot 7, Block F Aurora Park
No Address

By: Donna L. Wise
Donna L. Wise

Jan. 2, 2023

FILED
JAN 03 ~~2022~~ 2023 *mak*
City Clerk

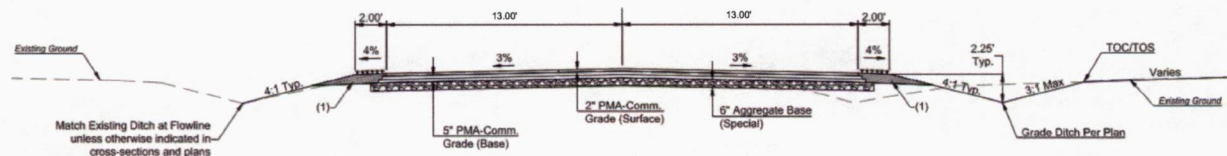
Lot 7, Block F
No Address

Aurora Park Asphalt Mat Payment		Section XI, Item D		
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

Aurora Park Paving Exhibit

11-2-2022



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 <div>1995 Midfield Road Wichita, KS 67209 (316) 264-8008</div>	Aurora Park Paving Exhibit		FIGURE NUMBER SHEET NUMBER 1
--	----------------------------	--	-------------------------------------

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

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

- (a) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 8, Block F
4100 N. Parkwood Avenue

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
 Lots 1 – 9, Block F
 Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 8, Block F
 4100 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 8, Block F
4100 N. Parkwood Avenue

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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Lot 8, Block F Aurora Park
4100 N. Parkwood Avenue

By: Donna L. Wise
Donna L. Wise

Jan. 2, 2023

FILED
JAN 03 2022-2023 MAX
City Clerk

Lot 8, Block F
4100 N. Parkwood Avenue

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
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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

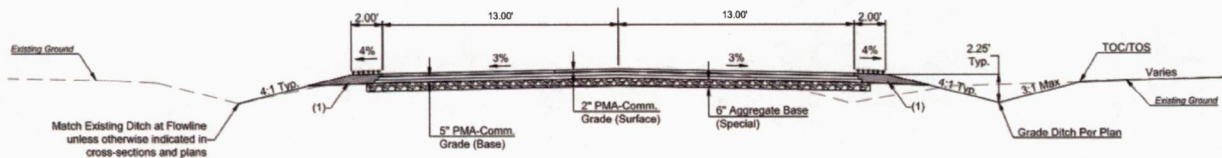
City Contribution \$96,000

Net Cost to Benefit District \$581,085


Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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 <div>1995 Midfield Road Wichita, KS 67209 (316) 264-8008</div>	Aurora Park Paving Exhibit		FIGURE NUMBER SHEET NUMBER 1
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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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

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

- (a) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 18 & 1/20 Und. Int. in Fawn Lake, Block G
4075 N. Parkwood Avenue

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.

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Aurora Park

Lot 1 and Lots 20 – 21, Block E

Lots 1 – 9, Block F

Lots 18 – 26, Block G

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The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 18 & 1/20 Und. Int. in Fawn Lake, Block G
4075 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

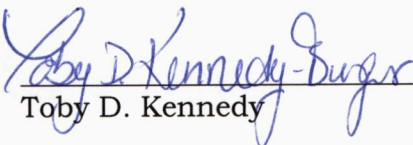
Lot 18 & 1/20 Und. Int. in Fawn Lake, Block G
4075 N. Parkwood Avenue

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

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

Lot 18 & 1/20 Und. Int. in Fawn Lake, Block G Aurora Park
4075 N. Parkwood Avenue

By:  12-18-2022
Martin P. Burger

By:  12-18-22
Toby D. Kennedy

FILED
DEC 28 2022
City Clerk

Lot 18 & 1/20 Und. Int. in Fawn Lake, Block G
4075 N. Parkwood Avenue

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
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			Eng., Staking, Insp (25%)	\$112,848
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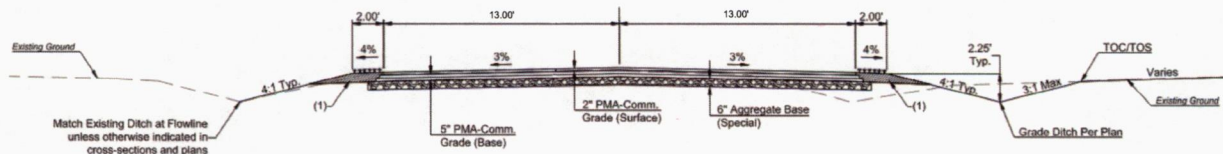
City Contribution \$96,000

Net Cost to Benefit District \$581,085


Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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 <div>1995 Midfield Road Wichita, KS 67209 (316) 264-8008</div>	Aurora Park Paving Exhibit		FIGURE NUMBER SHEET NUMBER 1
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- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 19 & 1/20 Und. Int. in Fawn Lake, Block G
4101 N. Parkwood Avenue

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.

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 Lots 18 – 26, Block G

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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.

Lot 19 & 1/20 Und. Int. in Fawn Lake, Block G
 4101 N. Parkwood Avenue

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.

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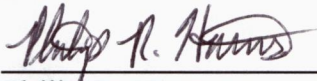
(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 19 & 1/20 Und. Int. in Fawn Lake, Block G
4101 N. Parkwood Avenue

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

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

Lot 19 & 1/20 Und. Int. in Fawn Lake, Block G Aurora Park 4101 N. Parkwood Avenue		
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By: <u></u>	<u>12/10/2022</u>
Philip R. Harms	

FILED
JAN 03 2022 2023 *MAX*
City Clerk

Lot 19 & 1/20 Und. Int. in Fawn Lake, Block G
4101 N. Parkwood Avenue

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
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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

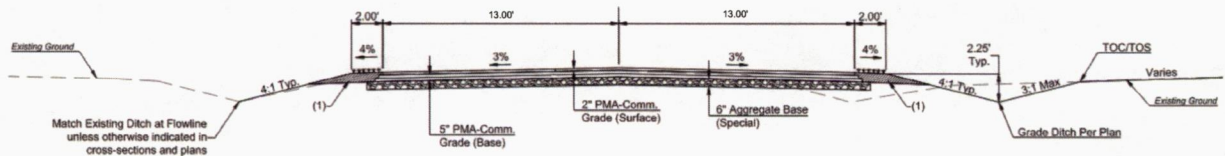
City Contribution \$96,000

Net Cost to Benefit District \$581,085


Full Cost / Lot (22 shares) \$26,412.95
Cost per month \$146.49

Aurora Park Paving Exhibit

11-2-2022



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 <p>1995 Midfield Road Wichita, KS 67209 (316) 264-8008</p>	<p>Aurora Park Paving Exhibit</p>		<p>FIGURE NUMBER</p> <p>SHEET NUMBER 1</p>
--	-----------------------------------	--	--

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

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

- (a) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 20 & 1/20 Und. Int. in Fawn Lake, Block G
4119 N. Parkwood Avenue

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
 Lots 1 – 9, Block F
 Lots 18 – 26, Block G

Parcel in Aurora Park

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The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 20 & 1/20 Und. Int. in Fawn Lake, Block G
 4119 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 20 & 1/20 Und. Int. in Fawn Lake, Block G
4119 N. Parkwood Avenue

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

Lot 20 & 1/20 Und. Int. in Fawn Lake, Block G Aurora Park
4119 N. Parkwood Avenue

By:	<u>Neil E. Bryan</u>	<u>12-25-22</u>
	Neil E. Bryan	

By:	<u>Catherine L. Bryan</u>	<u>1-12-2023</u>
	Catherine L. Bryan (Print Spouse Name)	

FILED
Jan 12, 2023
~~DEC 28 2022~~ MAK
City Clerk

Lot 20 & 1/20 Und. Int. in Fawn Lake, Block G
4119 N. Parkwood Avenue

Aurora Park Asphalt Mat Pavment
November 2, 2022

Section XI, Item D.

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
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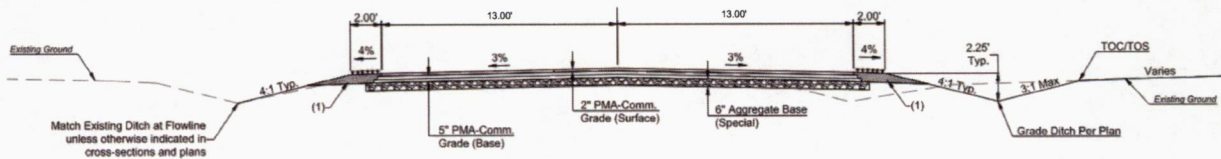
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Aurora Park Paving Exhibit

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

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That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 22 & 1/20 Und. Int. in Fawn Lake, Block G
4141 N. Parkwood Avenue

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.

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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.

Lot 22 & 1/20 Und. Int. in Fawn Lake, Block G
 4141 N. Parkwood Avenue

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.

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(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 22 & 1/20 Und. Int. in Fawn Lake, Block G
4141 N. Parkwood Avenue

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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Lot 21 & 1/20 Und. Int. in Fawn Lake, Block G Aurora Park
4129 N. Parkwood Avenue

By: John D. Kropf 1-10-23
John Kropf
John & Barbara Kropf Revocable Trust

By: _____
Barbara Kropf
John & Barbara Kropf Revocable Trust

FILED
JAN 11 2023
City Clerk

Lot 22 & 1/20 Und. Int. in Fawn Lake, Block G
4141 N. Parkwood Avenue

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
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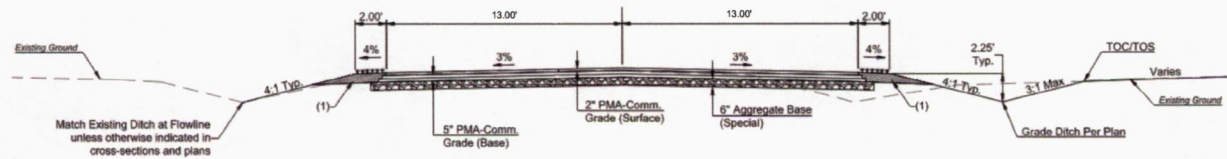
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Aurora Park Paving Exhibit

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

Aurora Park Paving Exhibit

FIGURE NUMBER

SHEET NUMBER 1

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Lot 23 & 1/20 Und. Int. in Fawn Lake, Block G
4153 N. Parkwood Avenue

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.

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Lot 23 & 1/20 Und. Int. in Fawn Lake, Block G
 4153 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 23 & 1/20 Und. Int. in Fawn Lake, Block G
4153 N. Parkwood Avenue

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LEGAL DESCRIPTION	SIGNATURE	DATE
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Lot 23 & 1/20 Und. Int. in Fawn Lake, Block G Aurora Park 4153 N. Parkwood Avenue		
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By: 	<u>12/10/22</u>
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Gary W. Sprague

FILED
JAN 03 ~~2022~~ 2023 MAX
City Clerk

Lot 23 & 1/20 Und. Int. in Fawn Lake, Block G
4153 N. Parkwood Avenue

Aurora Park Asphalt Mat Pavment
November 2, 2022

Bid Item Description	Quantity	Um	Unit Price	Extension
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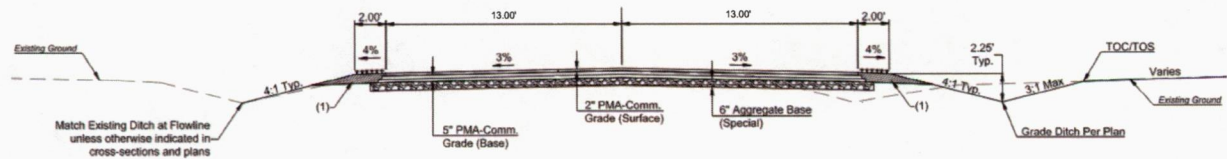
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Aurora Park Paving Exhibit

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

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
Lots 1 – 9, Block F
Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

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

- (a) That there be constructed pavement on **PARKWOOD AVENUE** from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; **40TH STREET NORTH** from the east line of Parkwood Avenue to the west line of Edgemoor Drive.

That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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 improvement being Six Hundred Seventy-Seven Thousand Dollars (\$677,000), with the cost to be payable by the improvement district as outlined below. 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 November 1, 2022.
- (c) The City of Bel Aire, Kansas will pay \$96,000 of the cost of drainage improvements. The land or area above described shall be constituted as an improvement district against which shall be assessed the remainder of the total actual cost of the improvement for which the improvement district is liable.

Lot 24, Block G
4165 N. Parkwood Avenue

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:

Aurora Park

Lot 1 and Lots 20 – 21, Block E
 Lots 1 – 9, Block F
 Lots 18 – 26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Corner of Lot 19, Block E Aurora Park Addition.

The above listed lots, parcels and tracts shall each pay 1/22 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.

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.

Lot 24, Block G
 4165 N. Parkwood Avenue

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.

(SEE INDIVIDUAL SIGNATURE SHEETS ATTACHED)

Lot 24, Block G
4165 N. Parkwood Avenue

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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Lot 24, Block G Aurora Park
4165 N. Parkwood Avenue

By:	<u></u>	<u>12-29-2022</u>
	Travis Millard	

By:	<u></u>	<u>12-29-2022</u>
	Rachel Millard	

FILED
JAN 03 ~~2022~~ 2023 *max*
City Clerk

Lot 24, Block G
4165 N. Parkwood Avenue

Gilmore & Bell, P.C.
01/30/2023

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON FEBRUARY 7, 2023**

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 were presented to the governing body petitions which have 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, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/COZY DRIVE).

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. [_____] 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.
01/30/2023

(Published in the *Ark Valley News*, on February ___, 2023)

RESOLUTION NO. [_____]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/COZY DRIVE).

WHEREAS, petitions (jointly, the "Petition") were 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. 12-6a04(1) (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by a majority of the resident owners of record of the property liable for assessment for the proposed improvements and 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 (the "Improvements"):

That there be constructed pavement on COZY DRIVE from the north line of 37th Street North to and including 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 and one-half (2-1/2) feet in width; making a total roadway width of thirty-one (31) 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: \$465,000. Said estimated cost 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 July 1, 2022.

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

Cozy Homes Addition
Lots 1-9

M.K. Mosteller Addition

Lot 1, Block A

in 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 9, Cozy Homes Addition, shall each pay 1/11 of the total assessed cost of the Improvements, and Lot 1, Block A, M.K. Mosteller Addition, shall pay 2/11 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: \$105,000 to be paid by the City-at-large, with the remaining cost to be assessed against the Improvement District and.

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 the Petition. 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 Improvements 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 February 7, 2023.

(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 February 7, 2023 as the same appears of record in my office.

DATED: February 7, 2023.

Melissa Krehbiel, Clerk

Gilmore & Bell, P.C.
01/30/2023

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BEL AIRE, KANSAS
HELD ON FEBRUARY 7, 2023**

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 were presented to the governing body petitions which have 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, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/AURORA PARK).

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. [_____] 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.
01/30/2023

(Published in the *Ark Valley News*, on February ___, 2023)

RESOLUTION NO. [_____]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/AURORA PARK).

WHEREAS, petitions (jointly, the "Petition") were 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. 12-6a04(1) (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by a majority of the resident owners of record of the property liable for assessment for the proposed improvements and 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 (the "Improvements"):

That there be constructed pavement on PARKWOOD AVENUE from the south line of Lot 18, Block G Aurora Park Addition to the north line of Aurora Park Addition; 40TH STREET NORTH from the east line of Parkwood Avenue to the west line of Edgemoor Drive. That said pavement on the above listed roads between aforesaid limits be constructed as a 7" asphalt mat pavement for a width of twenty-six (26) feet from edge to edge with open ditches on both sides of the roads 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: \$677,000. Said estimated cost 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 November 1, 2022.

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

Aurora Park Addition
Lot 1 and Lots 20-21, Block E

Lots 1-9, Block F
 Lots 18-26, Block G

Parcel in Aurora Park

That Part of Lots 18-19, Block E, Lying North of a Line Beginning at a point on Parkwood Lane 200 Feet Southwest of the Northwest Corner of Lot 18, Block E and Running Due East to a point 180 Feet South of the NE Comer of Lot 19, Block E, Aurora Park Addition

all in 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: Each of the lots and parcels identified above shall pay 1/22 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: \$96,000 of drainage costs to be paid by the City-at-large, with the remaining Improvement costs to be assessed against the Improvement District and.

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 the Petition. 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 Improvements 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 February 7, 2023.

(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 February 7, 2023 as the same appears of record in my office.

DATED: February 7, 2023.

Melissa Krehbiel, Clerk

February 7, 2023

Bayside Development LLC
3819 N. Toben Street
Wichita, KS 67226

Re: Letter of Intent to Issue IRB’s and Provide Incentives for Construction of Speculative Facilities

Dear Mr. Le:

Subject to formal IRB document approval by the City Council of Bel Aire, this Letter of Intent with Bayside Development LLC is submitted in order to set forth the agreement of the parties concerning the principal elements of Bayside Development LLC's commitment to the City of Bel Aire and the City’s intent to provide the incentives outlined herein, including the issuance of Taxable Industrial Revenue Bonds pursuant to K.S.A. 12-1740 *et seq.*, to construct speculative buildings for use in manufacturing, warehousing and storage to be located northwest of the intersection of 53rd Street North and Greenwich Road. This letter of intent is subject in all respects to subsequent actions by the City Council to authorize specific incentives outlined herein, and does not constitute a binding obligation of the parties until such actions have been taken and all documents contemplated herein are executed. This letter of intent is void if not signed and accepted by Bayside Development LLC within 30 days from the date of this letter. Absent subsequent rescission or extension by action of the governing body, this letter of intent to issue bonds and provide other incentives will remain in effect through December 31, 2032.

I. Industrial Revenue Bonds

At the option of Bayside Development LLC, the City intends to authorize the issuance of one or more series of Taxable Industrial Revenue Bonds (the “Bonds”) in an aggregate total principal amount not to exceed \$150,000,000 to finance the cost of acquiring land, equipping and constructing approximately eight (8) buildings of approximately 125,000 square feet each for use in manufacturing, warehousing and storage.

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

II. Other Incentives:

The City will assess a 1% origination fee on each series of Bonds that will be due at closing on each series of Bonds; provided, however, the total origination fee on each series of Bonds shall not exceed \$100,000.

The City Council hereby conditionally approves a 100% ad valorem property tax exemption on the bond-financed property for ten (10) years, all subject to the tenant’s ongoing compliance with the Industrial Revenue Bond Policy as well as conditions included in this letter and all related Bond documents. Under state law, no exemption may be granted from the ad valorem property tax levied by a school district for the capital outlay fund pursuant to the provisions of K.S.A. 72-53,113, which levy may not currently exceed 8 mills.

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

The City may revoke any ad valorem property tax abatement or impose a payment in lieu of taxes in the amount of any ad valorem property taxes abated in the event the City Council finds, upon the fifth year after the date of this letter of intent, that Bayside Development LLC has not constructed at least three (3) buildings and achieved a capital investment of \$40,000,000.

III. Other Conditions:

Issuance and closing of the Bonds is subject to negotiation of the Bond documents, including an approving Ordinance, Site Lease, Project Lease, Trust Indenture and Bond Purchase Agreement, compliance with state law and City ordinances and policies for the issuance of the Bonds, and receipt of commitments for the purchase of Bonds from lenders / equity holders.

Execution of guarantees for payment of bonds may be required by the owner of the bonds.

Bayside Development LLC agrees to:

- (1) identify all owners of Bayside Development LLC and their portion of equity;
- (2) identify the officers of Bayside Development LLC;
- (3) notify the City of any changes in ownership or officers as long as the bonds are outstanding;
- (4) provide the City with copies of current financial statements, business plan and financial projections for Bayside Development LLC facilities;
- (5) pay all costs incurred by the City for processing the application and issuance of the bonds;
- (6) pay the City an Administrative fee of \$2,500 per year for the time period in which the bonds are outstanding;
- (7) obtain a commitment for a policy of title insuring the title of the real property on which the Project will be constructed;
- (8) cooperate with any annual compliance procedures the City may require in compliance with the Bond documents, including any annual reports required of the applicant as well as any inspections of the applicant’s premises or interviews with the applicant’s staff;
- (9) lease the Project to tenants for use as storage, warehouse and/or manufacturing facilities.

IV. Assignment of Letter of Intent

This Letter of Intent is not assignable by Bayside Development LLC without the City’s express written approval.

Sincerely,

Jim Benage, Mayor

Date

Attest:

Ty Lasher, City Manager

Accepted:

Bayside Development LLC

Michael Le, Manager

Date

APPLICATION FOR EXEMPTION

CITY OF BEL AIRE, KANSAS
APPLICATION FOR IRB ISSUANCE OR PROPERTY TAX EXEMPTION OR
BOTH FOR ECONOMIC DEVELOPMENT PURPOSES

Industrial Revenue Bond issuance, or abatement from Ad Valorem property taxation or both pursuant to K.S.A. 12-1740 *et seq.* or Article II, §13 of the Kansas Constitution is requested for all or any portion of facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes, with respect to issuance of industrial revenue bonds, or the appraised valuation of property used for the purpose of manufacturing articles of commerce, conducting research and development, or storing goods or commodities which are sold or traded in interstate commerce, with respect to other tax exemption-incentives, as described herein. This application is submitted in conformance with the applicable Statement of Policy and Procedures of the City and it is understood that the City may require in lieu of payments for property, which becomes tax-exempt. The attached sheets, if any, are submitted as a part of this application.

Part I. Applicant Identification

Name of Applicant firm: Bayside Development LLC
Contact Person (Name and Title): Michael Le / President
Address: 3819 N Toben St
Wichita Street or P.O. Box KS 67226
City State Zip
Telephone Number: 316 - 461-4407

Names and percent of ownership of all principal owners and officers of the Applicant

Firm: Michael Le

Part II. Property Identification

List only taxable property for which IRB issuance or tax exemption-incentives or both is requested.

 Land. Attach legal description of property and plat showing location of buildings, added improvements to buildings, or both.
X Building(s). Attach description.

- _____ Added improvements to buildings. Attach description and estimated cost.
- _____ Tangible personal property. Attach list of each item with identifying nomenclature and cost. Proof of purchase after August 5, 1986 must be provided for each item on list.

Part III. Business Information

Type of business organization: LLC
(i.e. corporation, subsidiary, partnership, sole proprietorship, etc.)

Date and place business organized or incorporated: Feb 2022 Wichita KS

Name and parent company, if applicable: _____

Type of business: Warehouse, Leasing

Line or lines or products manufactured or research and development conducted, or goods or commodities stored in buildings, for which IRB issuance or tax exemption or both is requested.

New Construction

Business is... (Please check one) ☒ New ☐ Existing

If NEW Business:

Date Operations will Commence: _____

If business is relocated to this City, give previous location(s): _____

If construction of a new building for a new business is involved, give anticipated date of completed construction: August 2023

If EXISTING Business:

Date expansion will be completed: _____

Purpose of expansion: _____

Does expansion involve?

- _____ Acquisition of existing building
_____ Enlargement of existing building
_____ Construction of new building

Describe how property identified above facilitates the expansion of such existing business:

Part IV. Employment Data

Existing Business: Describe how expansion has or will create new employment include wage for each new position:

Building New buildings to lease

New Business: Describe how many new jobs will be created in total as well as over the 10 year period. Identify average wage for each new job:

Part V - Financial Responsibility

Attach a description of the businesses' financial situation. This may include a financial statement, audit and other relevant information to assess the stability of the business. Indicate whether there is any pending or threatening litigation affecting the viability of the business.

Part VI. Certification of Applicant

I, Michael Le, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter.

Date 11/18/22 Signed [Signature] Name _____

President Title _____

Part VII. Acknowledgment of Receipt

Receipt of \$1,500.00 fee is hereby acknowledged:

Date: _____ City Manager: _____

PROJECT APPLICATION (CITY OF BEL AIRE, KS)

Name of Corporation/Partnership Bayside Development
Date of Request _____
Address _____
Primary Contact Michael Le
Address 3819 N Toben St Wichita KS 67224
Phone 316-461-4407 Fax _____ E-mail michael@lapalm
product.com

A. APPLICANT INFORMATION

B. Name and addresses of all persons or corporations who would be obligated as either applicant or personal guarantors of subsidy:

Name: Michael Le
Address: 2509 N Bayside Wichita KS 67205
Name: _____
Address: _____
Name: _____
Address: _____

C. Name and addresses of the principal officers and directors of the applicant:

Name: _____
Address: _____
Name: _____
Address: _____
Name: _____
Address: _____

D. Applicant's Attorney

Name Harvey Sorensen
Phone Number 316-291-9774

E. Applicant's Financial Advisor

Name _____
Phone Number _____

F. Applicant's Accountant

Name _____
Phone Number _____

G. Requested Subsidy:

Category:	Source/Type/Description:	Requested Amount:
Tax Increment Financing		\$
Tax Abatement		\$
Industrial Revenue Bonds	11,000,000	\$ 11,000,000
Other – Land Write-Down		\$
Other – Special Assessments		\$
Other – Public Improvements		\$

TOTAL REQUEST \$ 11,000,000

H. Complete Project Sources and Uses:

Sources:

Private Bank Loan	\$ 9,600,000
Private Equity	\$ 2,400,000
State/Local Loan/Grant Funds	\$
Tax Increment/Tax Abatement	\$
Other (specify _____)	\$

Total Sources: \$ 12,000,000

Uses:

Land Acquisition	\$ 435,000
Building Construction/Reconstruction	\$ 10,500,000
Machinery/Equipment	\$
Site Improvements	\$ 500,000
Installation of Public Utilities	\$ 75,000
Parking Improvements	\$ 250,000
Legal/Financial Costs	\$ 35,000
Surveying/Platting/Permitting	\$ 40,000
Other (specify _____)	\$

Total Uses: \$ 11,835,000

I. Use of Subsidy:

Amount requested for purchase of land:	\$ 435,000
Amount requested for building:	\$ 10,500,000
Amount requested for equipment:	\$
Amount requested for site improvements:	\$ 500,000
Amount requested for public utilities:	\$ 75,000
Working capital:	\$
Other (specify): <i>Engineering</i>	\$ 490,000

TOTAL REQUEST \$ 12,000,000

J. Project Details:

1. Include the following project details on a separate sheet:
- breakdown of commercial square footage, i.e., office, retail, manufacturing, industrial, hospitality, entertainment, etc
 - cost per square footage of construction of each type of housing unit and each type of commercial use
 - commencement and completion for each project component, include site improvements and public infrastructure
 - dates for sale or lease of units, occupancy start, and full occupancy, etc
 - estimated appraised value of project when complete, separated by use
 - describe how the property will be subdivided by uses
 - estimated taxable sales per s.f. of retail, hospitality, etc.

2. Name and address of Contractor

Air Capital Construction

Name and address of Architect:

Tim LeBlanc P.E.

3. What type of equipment will be financed, if any? NA

K. Proposed Location/Timing of Construction:

1. Location of the project:

Bellaire

2. What percentage of the building will be occupied by the applicant? _____

3. Is the project properly zoned? _____

4. If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application:

5. If unusual demands for water or sewer services or police or fire protection will be made, specify the demands:

L. Ownership and Management:

1. Describe the development company, ownership, affiliated/partner companies (identify membership entities):

2. What portion of the project is being financed from other affiliate or partner funds?

\$

Please Explain

3. Will portions of the project be sold to other entities? If so, please explain

4. Describe all threatened or pending/outstanding litigation and legal claims or regulatory issues:

none

Disclosure items:

Has the applicant or any affiliated party defaulted on a real estate obligation?

no

Has the applicant or any affiliated party declared bankruptcy?

no

Has the applicant or any affiliated party had judgments recorded against them?

no

If the answer is yes to any of the above, please explain.

M. Job Creation Detail:

Type of Job

No. of this Type

Average Annual Wage

Professional

Technical

Clerical

General Labor

Other: (specify _____)

What is the total Annual Payroll?

N. Financial Capacity:

1. Provide copies of applicant's financial statements (balance sheets and income statements) for the past three years certified as correct by the owner or an authorized officer (or audited) and current (year to date)

2. Provide current (year to date) and three years historical financial statements (balance sheets and income statements) for the affiliated/partner entities, to demonstrate financial capacity

• 3. Provide last three years income tax returns for development principals, if applicable.

- 4. Audited financials are required, and if not available, provide an explanation.
- 5. Letter from the primary lender(s) stating the amount of conventional financing available for the project

O. References and Relevant Experience:

- 1. Provide names and locations of recent comparable projects
- 2. Provide private, public, and non-profit sector references from comparable projects. Please include names of government contacts with which the developer worked, if applicable.
- 3. Include three relevant experiences.

I, Michael Le, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter. A non-refundable application fee of \$1,500.00 will be paid upon submission of application.

Date 11/18/22

Signed [Signature]
Name

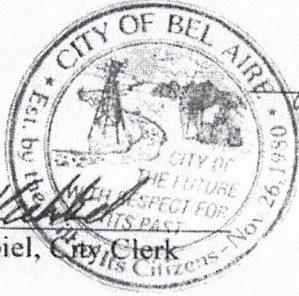
President
Title

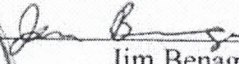
Receipt is hereby acknowledged:

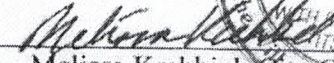
Date: _____

City Manager: _____

Adopted this 7th day of June, 2022 by the Bel Aire City Council.




Jim Benage, Mayor


Melissa Krehbiel, City Clerk

(Signature page to IRB Policy, revised 6/07/2022)

CEDBR-FISCAL IMPACT MODEL FIRM DATA SHEET

Center for Economic Development and Business Research
 Wichita State University
 1845 Fairmount St.
 Wichita, Kansas 67260-0121
 (316) 978-5036

COMPANY INFORMATION

Company name or project name	Bayside Development LLC
Contact name	Michael Le
Contact telephone number	316-461-4407
Contact e-mail address	michael@lapalmproducts.com
Company NAICS Code - Please select a NAICS code from the list provided. Model parameters are set based on the NAICS selected.	
Year of application	2022

SITE LOCATION - If incentives are being requested for more than one physical location, and these locations are in different taxing jurisdictions, then a separate firm data sheet must be filled out for each location. If the property is located in a special taxing district or industrial zone, please contact CEDBR.

City	Bel Aire
County	Sedgwick
School District	USD 375

REAL PROPERTY CONSTRUCTION AND IMPROVEMENTS - If construction is expected to significantly exceed 12-months allocate expenditures to multiple expansions.

Expansion #1	
Year of expansion	2022
Market value of firm's initial NEW OR ADDITIONAL investment in:	
Land	435,000
Building and improvements	
Furniture, fixtures and equipment (including machinery)	
Initial construction or expansion:	
Cost of construction at the firm's new or expanded facility	10,500,000
Amount of taxable construction materials purchased in:	
City	
County (should include city amount)	
State (should include city and county amounts)	
Amount of taxable furniture, fixtures and equipment purchased in:	
City	0
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	
Expansion #2 (if applicable)	
Year of expansion	
Market value of firm's initial NEW OR ADDITIONAL investment in:	
Land	
Building and improvements	
Furniture, fixtures and equipment (including machinery)	
Initial construction or expansion:	
Cost of construction at the firm's new or expanded facility	
Amount of taxable construction materials purchased in:	
City	
County (should include city amount)	
State (should include city and county amounts)	
Amount of taxable furniture, fixtures and equipment purchased in:	

City	
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	
Expansion #3 (if applicable)	
Year of expansion	
Market value of firm's initial NEW OR ADDITIONAL investment in:	
Land	
Building and improvements	
Furniture, fixtures and equipment (including machinery)	
Initial construction or expansion:	
Cost of construction at the firm's new or expanded facility	
Amount of taxable construction materials purchased in:	
City	
County (should include city amount)	
State (should include city and county amounts)	
Amount of taxable furniture, fixtures and equipment purchased in:	
City	
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	

OPERATIONS	
First Year of Full Operations As a Result of This Project	
New or additional sales of the firm related to this project	
Year 1	875,000
Year 2	875,000
Year 3	875,000
Year 4	875,000
Year 5	900,000
Year 6	900,000
Year 7	925,000
Year 8	925,000
Year 9	925,000
Year 10	950,000
Percent of these sales subject to sales taxes in the:	
City	0.0%
County	0.0%
State	0.0%
Annual net taxable income, as a percent of sales, on which state corporate income taxes will be computed:	
	0.0%
New or additional purchases of the firm related to this project	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

Percent of these purchases subject to sales/compensating use taxes in the:	
City	
County	
State	

EMPLOYMENT		
<i>Number of NEW employees to be hired each year as a result of this project</i>		
Year 1	20	
Year 2	25	
Year 3	30	0
Year 4	35	0
Year 5	40	0
Year 6	45	0
Year 7	50	0
Year 8	55	0
Year 9	60	0
Year 10	65	0
0		
<i>Number of these employees moving to county each year FROM OUT-OF-STATE</i>		
Year 1		0
Year 2		0
Year 3		0
Year 4		0
Year 5		0
Year 6		0
Year 7		0
Year 8		0
Year 9		0
Year 10		0
<i>Number of these employees moving to county each year FROM OTHER KANSAS COUNTIES</i>		
Year 1		0
Year 2		0
Year 3		0
Year 4		0
Year 5		0
Year 6		0
Year 7		0
Year 8		0
Year 9		0
Year 10		0
<i>Weighted average annual salary of all NEW employees, including all employees hired to date, related to this project</i>		
Year 1	\$40,000 / 20 employees	
Year 2		
Year 3		
Year 4		
Year 5		
Year 6		

Year 7	
Year 8	
Year 9	
Year 10	

VISITORS - Include customers, vendors and company employees from other locations in the count of visitors

Number of ADDITIONAL out-of-county visitors expected at the firm as a result of this project

Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

Number of days that a typical visitor will stay in the area

Number of nights that a typical visitor will stay in a local hotel or motel

Percentage of visitors traveling on business

Percentage of visitors traveling for leisure

Percentage of visitor's expenditures spent in the same city as firm's location

Percentage of visitor's expenditures spent in the same county as firm's location

Percentage of visitor's expenditures spent in Kansas

PAYMENT BY THE COMPANY TO TAXING JURISDICTIONS - Such as payments in lieu of taxes

Firm payments to the City

Year 1	\$0
Year 2	\$0
Year 3	\$0
Year 4	\$0
Year 5	\$0
Year 6	\$0
Year 7	\$0
Year 8	\$0
Year 9	\$0
Year 10	\$0

Firm payments to the County

Year 1	\$0
Year 2	\$0
Year 3	\$0
Year 4	\$0
Year 5	\$0
Year 6	\$0
Year 7	\$0
Year 8	\$0
Year 9	\$0
Year 10	\$0

Firm payments to the State of Kansas

Year 1	\$0
Year 2	\$0
Year 3	\$0
Year 4	\$0
Year 5	\$0
Year 6	\$0

Year 7	\$0
Year 8	\$0
Year 9	\$0
Year 10	\$0
Firm payments to the School District	
Year 1	\$0
Year 2	\$0
Year 3	\$0
Year 4	\$0
Year 5	\$0
Year 6	\$0
Year 7	\$0
Year 8	\$0
Year 9	\$0
Year 10	\$0

CEDBR-FISCAL IMPACT MODEL - RESULTS



1845 Fairmount St.
Wichita, Kansas 67260-0121
(316) 978-3225

DATE OF ANALYSIS 1/14/2023
TIME OF ANALYSIS 12:55 PM



FIRM IMPACT

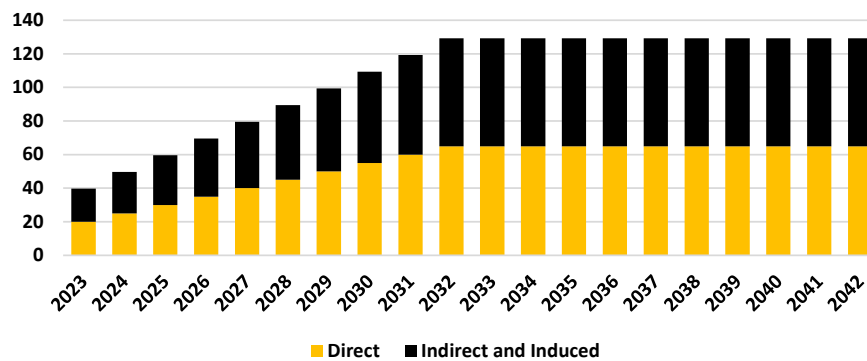
VERSION OF ANALYSIS **V1**

FIRM SUMMARY		
Company Name	Bayside Development, LLC	
	10-year period	20-year period
Number of new jobs	65	65
Amount of payroll	\$19,325,000	\$56,932,829
Amount of capital investment	\$151,320,000	\$151,320,000
Land	\$1,320,000	\$1,320,000
Buildings	\$150,000,000	\$150,000,000
Machinery and Equipment	\$0	\$0
Substitution percentage	0.0%	OVERRIDDEN

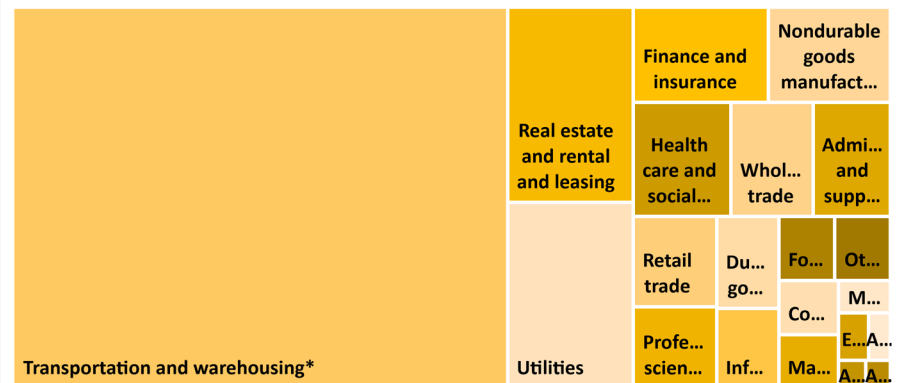
Firm NAICS code 493000 Warehousing and storage

IMPACT SUMMARY			
	Construction	Firm	
	Total	10-year period	20-year period
Jobs			
Direct	1,233	65	65
Total	2,227	129	129
Payroll earnings			
Direct	\$75,000,000	\$19,325,000	\$56,932,829
Total	\$123,022,500	\$41,040,503	\$120,908,250
Multiplier			
Jobs	1.81	1.99	
Earnings	1.64	2.12	

Total Employment Impact

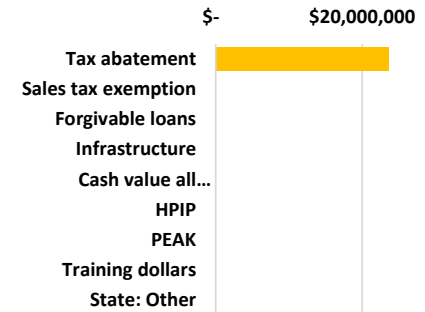


Total Impact by Industry



FISCAL IMPACT

INCENTIVE SUMMARY					
	City	County	State	School District	Special District
	Bel Aire	Sedgwick	Kansas	375 Circle	Select
Tax abatement	\$ 9,257,563	\$ 6,241,125	\$ 4,568,750	\$ 3,535,788	\$ -
Sales tax exemption	\$ -	\$ -	\$ -		
Forgivable loans	\$ -	\$ -	\$ -		
Infrastructure	\$ -	\$ -	\$ -		
Cash value all other incentives	\$ -	\$ -	\$ -		
HPIP			\$ -		
PEAK			\$ -		
Training dollars			\$ -		
State: Other			\$ -		
Total	\$ 9,257,563	\$ 6,241,125	\$ 4,568,750	\$ 3,535,788	\$ -

Share by Type

TAX ABATEMENT PARAMETERS	
<i>Real Property</i>	
Number of years	10
Percentage	100.0%
<i>Personal Property</i>	
Number of years	0
Percentage	0.0%

Share of Incentives - by Government Entity

	City		County		State	
	Bel Aire		Sedgwick		Kansas	
	10-year period	20-year period	10-year period	20-year period	10-year period	20-year period
Present value of net benefits	(\$2,894,309)	\$351,873	(\$1,654,009)	\$1,011,204	\$13,890,001	\$20,319,613
<i>Rate of Return on Investment</i>						
Net public benefits	(\$2,894,309)	\$351,873	(\$1,654,009)	\$1,011,204	\$13,890,001	\$20,319,613
Public costs	\$7,443,652	\$7,443,652	\$5,018,250	\$5,018,250	\$3,749,592	\$3,834,873
ROI	-38.9%	4.7%	-33.0%	20.2%	370.4%	529.9%
<i>Benefit-Cost Ratio</i>						
Public benefits	\$4,549,344	\$7,795,526	\$3,364,241	\$6,029,454	\$17,639,593	\$24,154,486
Public costs	\$7,443,652	\$7,443,652	\$5,018,250	\$5,018,250	\$3,749,592	\$3,834,873
Benefit-Cost Ratio	0.61	1.05	0.67	1.20	4.70	6.30

A 10-year period accounts for a business or economic cycle. Estimates beyond that period of time include increased risk and decreased accuracy due to market volatility and changes in public policy.

A benefit-cost ratio over 1 equates to public benefits being greater than public costs during the period.

	School District		Special District	
	375 Circle		Select	
	10-year period	20-year period	10-year period	20-year period
Present value of net benefits	(\$278,665)	\$1,542,493	\$0	\$ -
<i>Rate of Return on Investment</i>				
Net public benefits	(\$278,665)	\$1,542,493	\$0	\$0
Public costs	\$2,937,079	\$3,042,607	\$0	\$0
ROI	-9.5%	50.7%	NA	NA
<i>Benefit-Cost Ratio</i>				
Public benefits	\$2,658,414	\$4,585,100	\$0	\$0
Public costs	\$2,937,079	\$3,042,607	\$0	\$0
Benefit-Cost Ratio	0.91	1.51	NA	NA

In the preparation of this report, the Center for Economic Development and Business Research assumed that all information and data provided by the applicant or others is accurate and reliable. CEDBR did not take extraordinary steps to verify or audit such information, but relied on such information and data as provided for purposes of the project.

This analysis requires CEDBR to make predictive forecasts, estimates and/or projections (hereinafter collectively referred to as "FORWARD-LOOKING STATEMENTS"). These FORWARD-LOOKING STATEMENTS are based on information and data provided by others and involve risks, uncertainties and assumptions that are difficult to predict. The FORWARD-LOOKING STATEMENTS should not be considered as guarantees or assurances that a certain level of performance will be achieved or that certain events will occur. While CEDBR believes that all FORWARD-LOOKING STATEMENTS it provides are reasonable based on the information and data available at the time of writing, actual outcomes and results are dependent on a variety of factors and may differ materially from what is expressed or forecast. CEDBR does not assume any responsibility for any and all decisions made or actions taken based upon the FORWARD-LOOKING STATEMENTS provided by CEDBR.

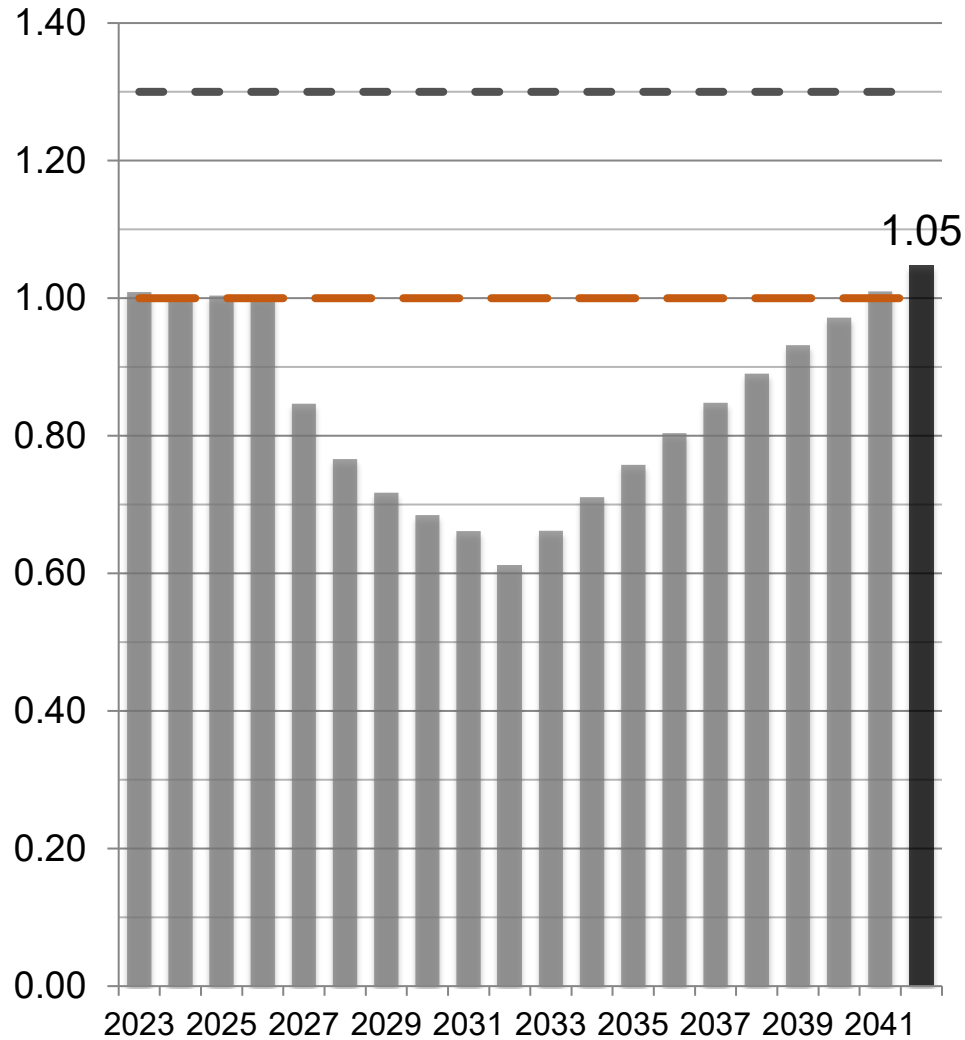


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(316) 978-3225

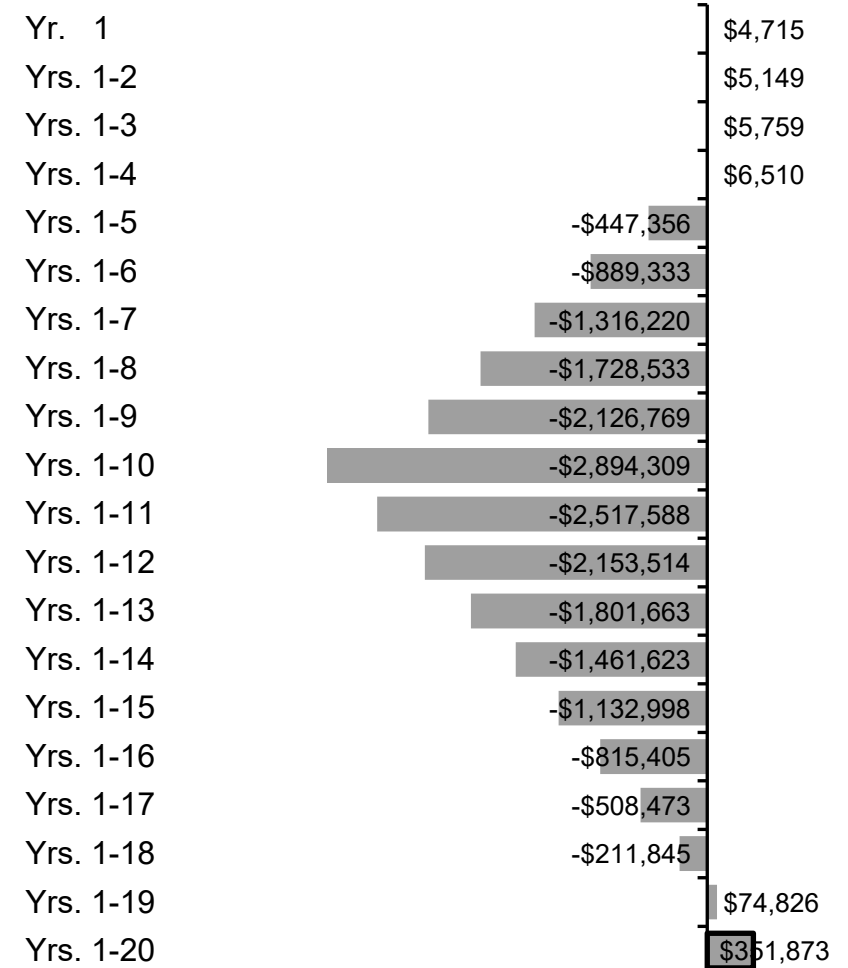
Project or Company Name: Bayside Development, LLC
1/14/2023

Bel Aire - Total

Benefit-Cost Ratio



Present Value of Net Benefits



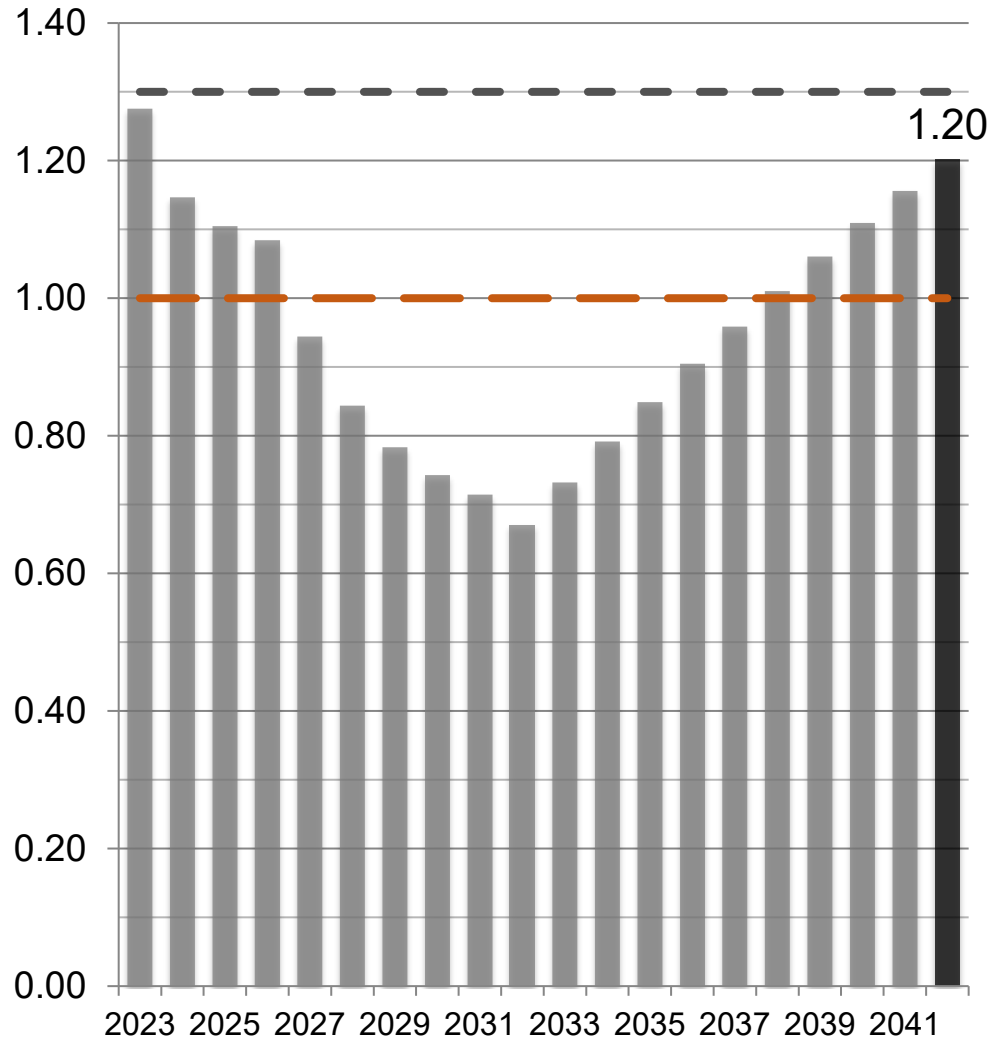


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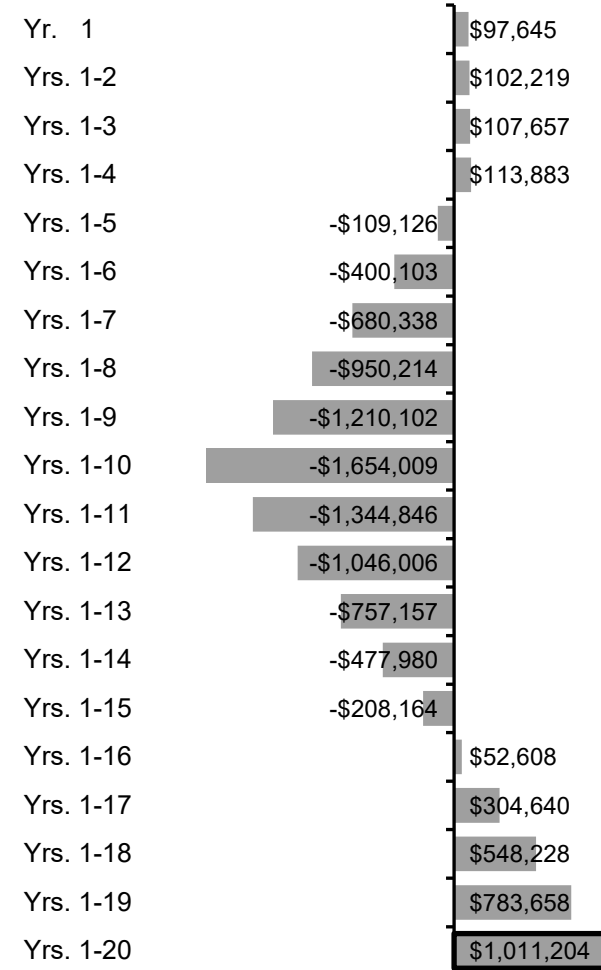
Project or Company Name: Bayside Development, LLC
1/14/2023

Sedgwick

Benefit-Cost Ratio



Present Value of Net Benefits



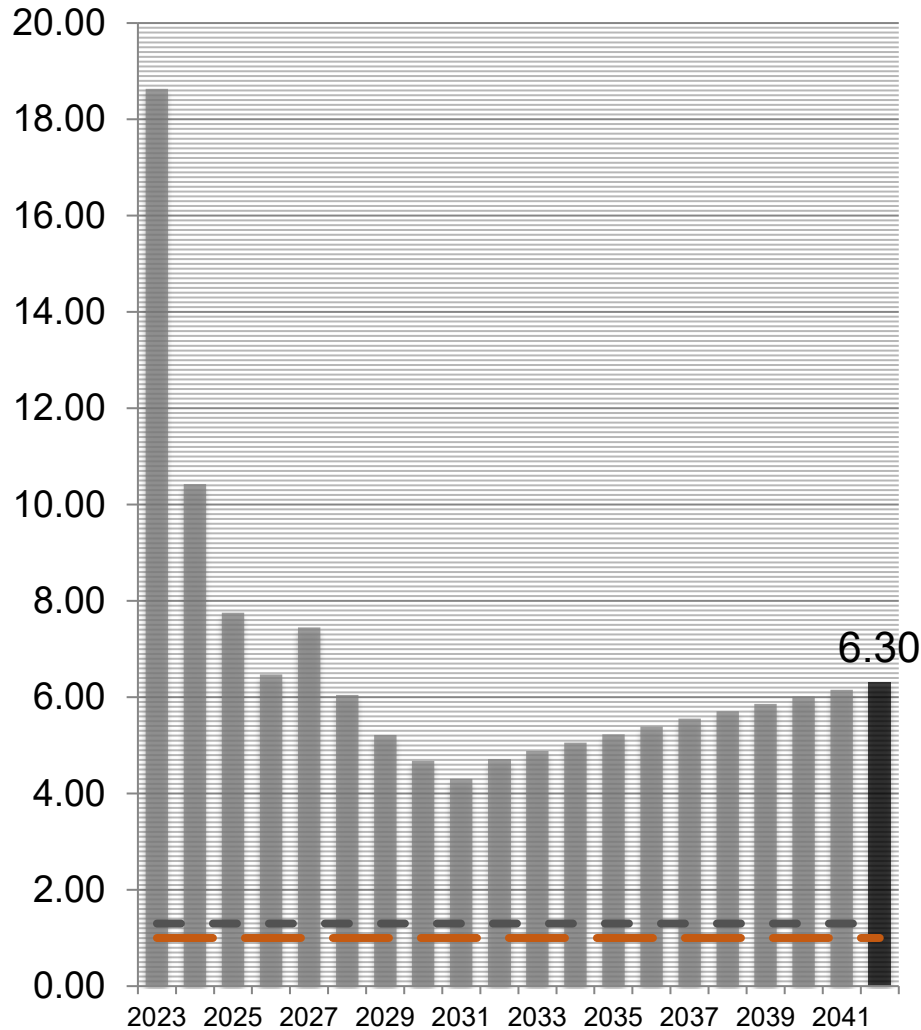


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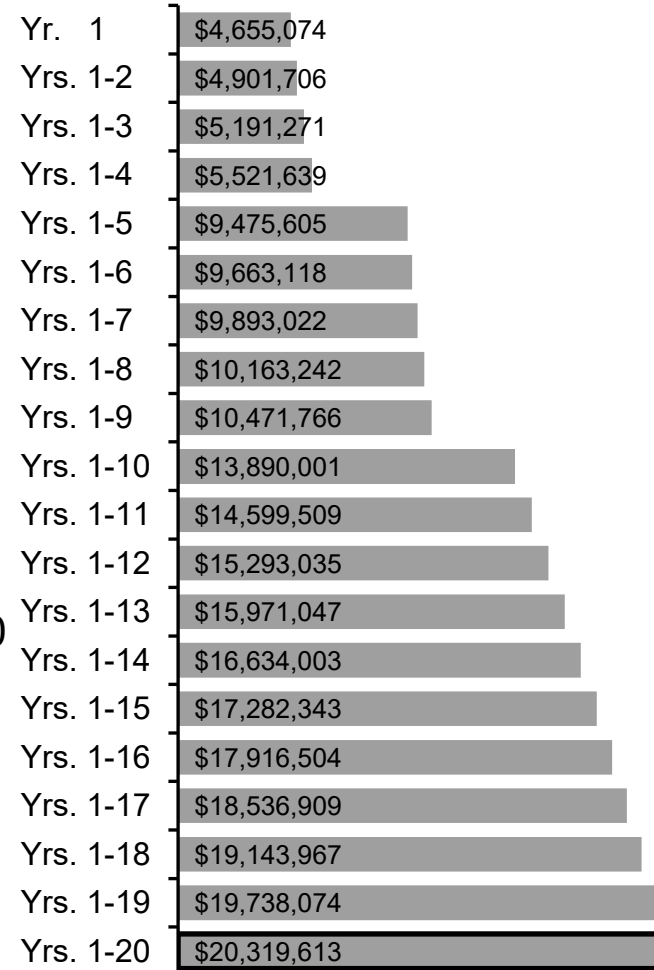
Project or Company Name: Bayside Development, LLC
1/14/2023

Kansas

Benefit-Cost Ratio



Present Value of Net Benefits



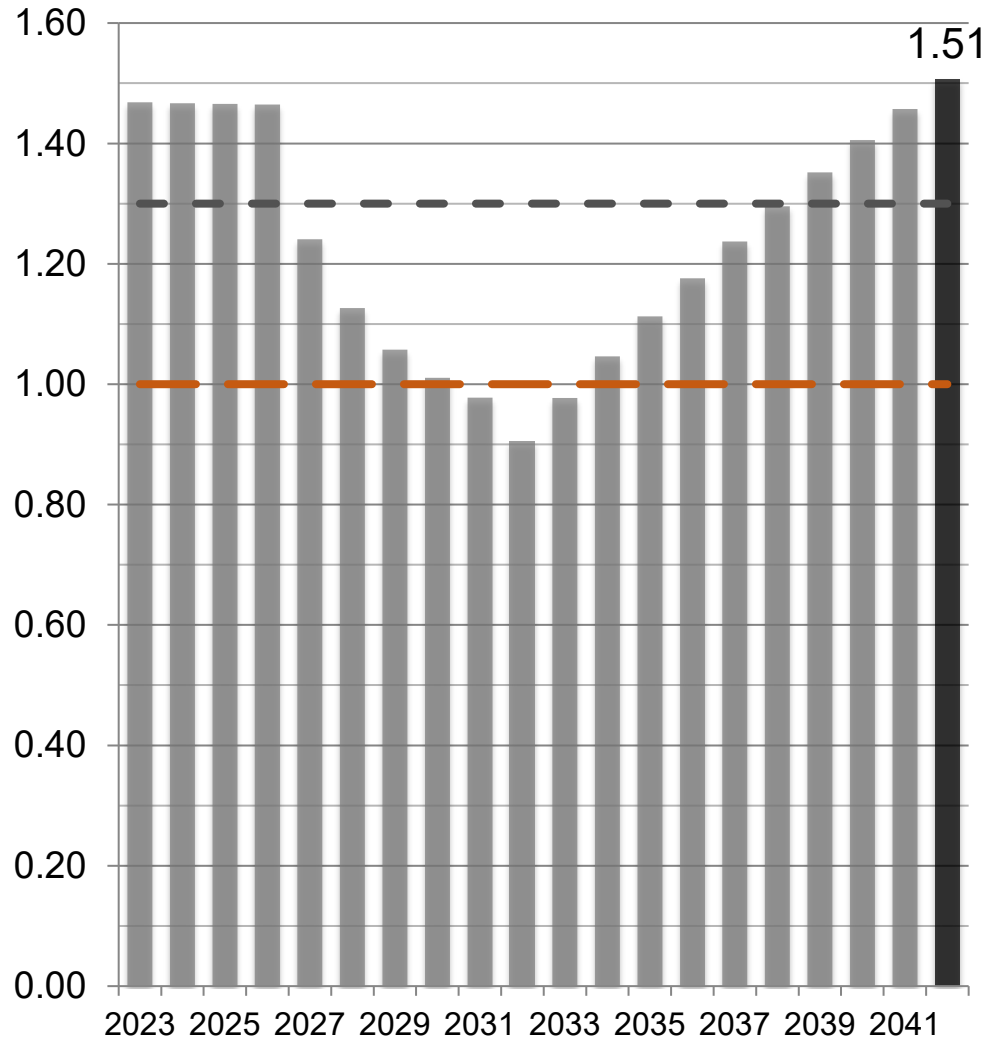


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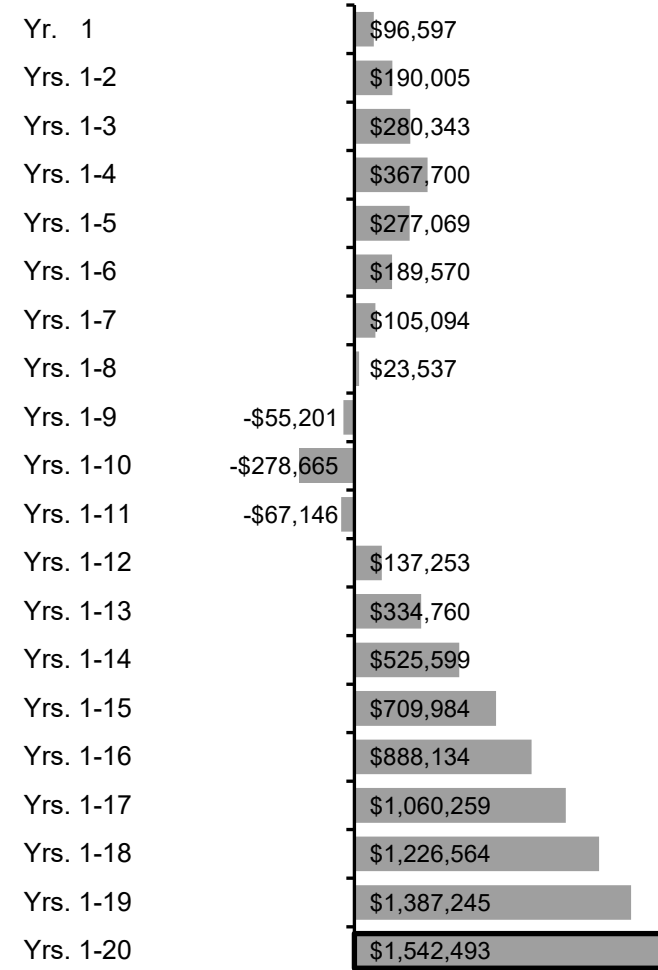
Project or Company Name: Bayside Development, LLC
1/14/2023

375 Circle

Benefit-Cost Ratio



Present Value of Net Benefits



CEDBR-FISCAL IMPACT MODEL - FIRM DATA SHEET**COMPANY INFORMATION****VERSION OF ANALYSIS V1**

Company name or project name	Bayside Development, LLC
Contact name	Michael Le
Contact telephone number	316-461-4407
Contact e-mail address	michael@lapalmproduct.com
Company NAICS Code - <i>Please select a NAICS code from the list provided. Model parameters are set based on the NAICS selected.</i>	493000 Warehousing and storage
Substitution Override	0.00%
Year of application	2023

SITE LOCATION

Street Address	
City	Bel Aire
County	Sedgwick
School District	375 Circle
Special District	Select

If incentives are being requested for more than one physical location, and these locations are in different taxing jurisdictions, then a separate firm data sheet must be filled out for each location. If the property is located in a special taxing district or industrial zone, please contact CEDBR.

REAL PROPERTY CONSTRUCTION AND IMPROVEMENTS - If construction is expected to significantly exceed 12-months allocate expenditures to multiple expansions.

Expansion:	#1	#2	#3	#4	#5	Building: Annualized appreciation / depreciation rate:
Year of expansion	2023	2028	2033			
<i>Market value of firm's initial NEW OR ADDITIONAL investment in:</i>						0%
Land	\$435,000	\$435,000	\$450,000			
Building and improvements	\$50,000,000	\$50,000,000	\$50,000,000			Automated Assumption (On/Off)
Furniture, fixtures and equipment (including machinery)						
Initial construction or expansion:						On
Cost of construction at the firm's new or expanded facility	\$50,000,000	\$50,000,000	\$50,000,000	\$0	\$0	
Share of materials	50%	50%	50%	50%	50%	On
Share of salaries	50%	50%	50%	50%	50%	On
<i>Amount of taxable construction materials purchased in:</i>						On
City	\$25,000,000	\$25,000,000	\$25,000,000	\$0	\$0	
County (should include city amount)	\$25,000,000	\$25,000,000	\$25,000,000	\$0	\$0	On
State (should include city and county amounts)	\$25,000,000	\$25,000,000	\$25,000,000	\$0	\$0	On
<i>Amount of taxable furniture, fixtures and equipment purchased in:</i>						On
City	\$0	\$0	\$0	\$0	\$0	
County (should include city amount)	\$0	\$0	\$0	\$0	\$0	On
State (should include city and county amounts)	\$0	\$0	\$0	\$0	\$0	On

OPERATIONS

First Year of Full Operations As a Result of This Project	2023	
New or additional :	<i>Sales</i>	<i>Purchases</i>
Year 1	\$918,874	\$62,116
Year 2	\$1,148,592	\$77,645
Year 3	\$1,378,310	\$93,174
Year 4	\$1,608,029	\$108,703
Year 5	\$1,837,747	\$124,232
Year 6	\$2,067,466	\$139,761
Year 7	\$2,297,184	\$155,290
Year 8	\$2,526,902	\$170,819
Year 9	\$2,756,621	\$186,348
Year 10	\$2,986,339	\$201,877
Year 11	\$2,986,339	\$201,877
Year 12	\$2,986,339	\$201,877
Year 13	\$2,986,339	\$201,877
Year 14	\$2,986,339	\$201,877
Year 15	\$2,986,339	\$201,877
Year 16	\$2,986,339	\$201,877
Year 17	\$2,986,339	\$201,877
Year 18	\$2,986,339	\$201,877
Year 19	\$2,986,339	\$201,877
Year 20	\$2,986,339	\$201,877
Automated Assumption (On/Off)	On	On
Percent of these sales subject to sales taxes in the:	<i>Sales</i>	<i>Purchases</i>
City	90.0%	100.0%
County	90.0%	100.0%
State	90.0%	100.0%
Annual net taxable income, as a percent of sales, on which state corporate income taxes will be computed:	0.0%	

EMPLOYMENT

Number of NEW employees to be hired each year as a result of this project	Kansas Total (Net new each year)	#Out-of-State	#Out-of-county (From KS)	Remote Worker (out-of-state)	Weighted AVG Annual Salary	Weighted AVG Bonus & Overtime
Year 1	20	1	1	0	\$40,000	\$0
Year 2	5	0	0	0	\$41,000	\$0
Year 3	5	0	0	0	\$42,000	\$0
Year 4	5	0	0	0	\$43,000	\$0
Year 5	5	0	0	0	\$44,000	\$0
Year 6	5	0	0	0	\$45,000	\$0
Year 7	5	0	0	0	\$46,000	\$0
Year 8	5	0	0	0	\$47,000	\$0
Year 9	5	0	0	0	\$48,000	\$0
Year 10	5	0	0	0	\$49,000	\$0
Year 11		0	0	0	\$50,470	\$0
Year 12		0	0	0	\$51,984	\$0
Year 13		0	0	0	\$53,544	\$0
Year 14		0	0	0	\$55,150	\$0
Year 15		0	0	0	\$56,804	\$0
Year 16		0	0	0	\$58,509	\$0
Year 17		0	0	0	\$60,264	\$0
Year 18		0	0	0	\$62,072	\$0
Year 19		0	0	0	\$63,934	\$0
Year 20		0	0	0	\$65,852	\$0
Automated Assumption (On/Off)		On	On		On	On
Notes	FTE: 40-hours=1; 20-hours=0.5	The assumption will be based on county specific labor slack and historic migration trends.		Only include workers related to this project.	Include future raises (Nominal values)	Include future increases (Nominal values)

VISITORS - Include customers, vendors and company employees from other locations in the count of visitors

Number of ADDITIONAL out-of-county visitors expected at the firm as a result of this project			
Year 1	5	Number of days that each visitor will stay in the area	2
Year 2	5	Number of nights that a typical visitor will stay in a local hotel or motel	1
Year 3	10		
Year 4	10	Percent of visitors traveling:	
Year 5	10	on business	100%
Year 6	15	for leisure	0%
Year 7	15		
Year 8	15	Percentage of visitor's expenditures spent in:	
Year 9	15	the same city as firm's location	10%
Year 10	20	the same county as firm's location	100%
Year 11	20	in Kansas	100%
Year 12	20		
Year 13	20		
Year 14	20		
Year 15	20		
Year 16	20		
Year 17	20		
Year 18	20		
Year 19	20		
Year 20	20		

PAYMENT BY THE COMPANY TO TAXING JURISDICTIONS - Such as payments in lieu of taxes

Firm payments to the:	City	County	State	School District
Year 1				
Year 2				
Year 3				
Year 4				
Year 5				
Year 6				
Year 7				
Year 8				
Year 9				
Year 10				
Year 11				
Year 12				
Year 13				
Year 14				
Year 15				
Year 16				
Year 17				
Year 18				
Year 19				
Year 20				

CEDBR-FISCAL IMPACT MODEL - INCENTIVE INFORMATION**CONTACT INFORMATION FOR CEDBR REGARDING INCENTIVE AMOUNTS**

Contact name	
Contact telephone number	
Contact e-mail address	

SALES TAX EXEMPTION ON CONSTRUCTION MATERIALS

	Yes/No	% funded by IRB
EXPANSION #1	no	0.0%
EXPANSION #2	no	0.0%
EXPANSION #3	no	0.0%
EXPANSION #4	no	0.0%
EXPANSION #5	no	0.0%

SALES TAX EXEMPTION FOR OPERATIONS

Value of sales tax exemption for OPERATIONS:	City	County	State
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			

PROPERTY TAX ABATEMENT

Property tax abatement - Real property land and buildings	
Number of Years	10
Percentage	100.0%
Property tax abatement - Machinery and equipment	
Number of Years	0
Percentage	0.0%

FORGIVABLE LOANS - Cash value			
Forgivable loans (cash value):	CITY	COUNTY	STATE
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			
INFRASTRUCTURE IMPROVEMENTS - Cash value			
	CITY	COUNTY	STATE
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			
Year 16			
Year 17			
Year 18			
Year 19			
Year 20			

OTHER INCENTIVES - Cash value				
	CITY	COUNTY	STATE	
Year 1				
Year 2				
Year 3				
Year 4				
Year 5				
Year 6				
Year 7				
Year 8				
Year 9				
Year 10				
Year 11				
Year 12				
Year 13				
Year 14				
Year 15				
Year 16				
Year 17				
Year 18				
Year 19				
Year 20				
STATE PROGRAMS - Cash value				
	HPIP	PEAK	TRAINING	OTHER
Year 1				
Year 2				
Year 3				
Year 4				
Year 5				
Year 6				
Year 7				
Year 8				
Year 9				
Year 10				
Year 11				
Year 12				
Year 13				
Year 14				
Year 15				
Year 16				
Year 17				
Year 18				
Year 19				
Year 20				

CITY OF BEL AIRE
INDUSTRIAL REVENUE BOND AND TAX EXEMPTION/ABATEMENT POLICY
Adopted: 11/2/2009 Revised: 7/16/2012; 6/7/2022

STATEMENT OF POLICY ON IRB's

The City Council's primary goal when considering the issuance of industrial revenue bonds (IRBs) or the granting of property tax abatements, exemptions and incentives or both shall be to encourage economic growth in the corporate City limits and the growth area of the City. Industrial revenue bonds are not considered a debt of the city; rather, they are debts of the business/organization that utilizes the bond proceeds. The city is merely a conduit for the business/organization to obtain tax-exempt financing for its project.

Industrial revenue bonds will not be utilized when it is determined that doing so would give the recipient an unfair advantage over a business or organization currently engaged in a similar venture within the city or its growth area.

When considering a request for IRBs, the city will evaluate the types of jobs proposed to be created, the amount of capital investment that will be made, and the ability of the business to meet a recognized need in Bel Aire's economic base. Upon review and consideration of these factors, the City Manager will make a recommendation to the City Council, which shall approve or deny the request. In the event the City Council approves the request to issue IRBs, the City Manager shall contact the City's bond counsel and begin the process of issuing the bonds. The applicant for the IRBs shall be responsible for any bond counsel, financial advisor, and any other fees incurred by the applicant that are associated with the issuance of the bonds.

STATEMENT OF POLICY ON TAX EXEMPTIONS AND/OR ABATEMENTS

Section

- | | |
|--|--------------------------------------|
| 1. Purpose | 15. Application Required |
| 2. General Objective | 16. Application and Renewal Fees |
| 3. Legal Authority | 17. Initial Review Process |
| 4. General Procedure | 18. Administrative Review Committee |
| 5. "Tax Incentive" Defined | 19. Initial Governing Body Action |
| 6. Jurisdiction | 20. Notice and Hearing |
| 7. Nominal Tax Determination | 21. Letters of Intent |
| 8. Minimum Payment in Lieu of Taxes | 22. Annual Renewal Subject to Review |
| 9. Special Assessments | 23. Transfer of Ownership or Use |
| 10. Pirating | 24. Distribution of Revenue |
| 11. Application of "But For" Principle | 25. Exemption Ordinance |
| 12. Analysis of Costs and Benefits | 26. Exemption Forms |
| 13. No Exemptions | 27. Waiver of Statement Requirements |
| 14. Amount of Tax Incentives | 28. Definitions |

Section 1. Purpose. The purpose of this statement is to establish the official policy and procedures of the City of Bel Aire, for the issuance of IRBs or granting of property tax exemptions and tax incentives for real and personal property used for economic development purposes or both.

Section 2. General Objective. The securing of private economic growth and development and the addition of new jobs within the community are important current and long-term objectives of this City. The issuance of IRBs or granting of property tax exemptions and tax incentives or both are tools available under Kansas law to help secure these public objectives. This statement is intended to establish the procedure and policy standards to govern the fair, effective, and judicious use of the power to issue IRBs or grant such exemptions and tax incentives or both in this City.

Section 3. Legal Authority. The governing bodies of Kansas counties and cities may issue IRBs in accordance with the provision of K.S.A. 12-1740 *et seq.*, or exempt certain property used for economic development purposes from taxes for a maximum of 10 years, in accordance with the provisions of Section 13 of Article 11 of the Kansas Constitution, subject to the requirements of KSA 79-251 *et seq.* or both. This authority is discretionary with the City, and the City may issue IRBs or provide for tax exemptions-incentives in an amount and for purposes more restrictive than that authorized by the Constitution or state laws. Pursuant to its home rule powers, the City may (1) require the owners of any property for which IRB issuance is requested or an exemption is requested or both to provide certain information, (2) condition the issuance of IRBs or granting of an exemption or both to an agreement providing for the payment of in lieu charges or taxes under the provisions of 12-1740 *et seq.* or KSA 12-147 and 12-148, and (3) require the payment of initial application and annual renewal fees reasonably necessary to cover the costs of administration.

Section 4. General Procedure. The following basic procedure shall govern the issuance of IRBs or tax exemptions-incentives or both within Bel Aire:

1. The applicant business shall apply for IRB issuance or a tax exemption-incentive or both by filing a written application as provided in this policy.
2. If the City determines the requested IRB issuance or tax exemption-incentive or both (a) may be lawfully granted, and (b) the initial request is worthy of further consideration, the City shall, if applicable, prepare a cost-benefit analysis report of the requested tax exemption-incentive as provided in Section 12.
3. The City shall then determine whether the IRB issuance or proposed tax exemption-incentive or both should be granted, following, if required by statute, a public hearing after the required notice.
4. If it is determined that some tax exemption-incentive should be granted, a maximum of 100% exemption of that property of the business legally eligible for exemption may be provided, but may be subject to an agreement of the business to make an in lieu tax payment as may be required by the City. The City reserves the right to set the tax exemption at a rate less than 100% and for a timeframe of less than 10 years.
5. The amount of the tax incentive, which will be an amount less than the taxes otherwise payable if the property were not exempt, will then be determined in accordance with this Statement.
6. Upon the failure of the business to fully and timely pay the in lieu tax payments, as may be required as a condition of the granting of an exemption, or to provide reports or other information requested by the City and reasonably necessary for the implementation of this policy, the City may either deny, revoke, or not renew the authorization of such an exemption. All requests for a tax exemption-incentive for economic development purposes shall be considered and acted upon in accordance with this Statement.

Section 5. “Tax Incentive” Defined. Various words and terms used in this statement are defined in Section 28. The terms “tax incentive” or “tax exemption-incentive” shall both mean the difference between the amount of ad valorem property taxes the affected business would pay if there were no City-granted exemption and the amount required to be paid as in lieu taxes or charges. For example, if the taxes required with no exemption were \$5,000, and the required in lieu payments were \$3,000, the “tax incentive” or “tax exemption-incentive” would be \$2,000.

Section 6. Jurisdiction. The City shall issue IRBs or grant tax exemptions-incentives or both only for property located within the City.

Section 7. Nominal Tax Determination. All tangible property of a business receiving a tax exemption-incentive under this Statement shall be annually assessed by the county appraiser in the same manner as if it were not exempt, but the amount thereof shall not be placed on the assessment rolls. The amount of the property taxes which would be payable shall also be determined annually by the County Clerk and Treasurer, in the same manner as if the property were not exempt, but such shall not be placed on the tax rolls. Separate assessment and tax calculations shall be made for the land, for the improvements thereon, and for any taxable tangible personal property associated therewith, of the exempt business. The appropriate county officers are requested to provide the city with this information as early as possible, but not later than November 15 of each year.

Section 8. Payment in Lieu of Taxes (PILOTs). Applicants receiving a tax exemption-incentive pursuant to this statement may be required to make a minimum payment in lieu of taxes which will be determined by the Governing Body based on economic incentives and benefits.

Section 9. Special Assessments. Any tax exemption granted for real property under this statement shall not affect the liability of such property for any special assessments levied or to be levied against such property.

Section 10. Pirating. It shall be the policy of the City to discourage applications for IRB issuance or tax exemptions-incentives or both, or to grant such IRBs or tax incentives or both, which deliberately encourage and cause the pirating of business from another Kansas community to this community, or from this community to another Kansas community. It is the intent of the city to avoid participation in “bidding wars” between cities or areas competing for the location of new businesses or expansion of existing businesses through attempts to offer the largest tax incentive or other public inducement, which is detrimental to the state’s economy and the public interest. As provided in KSA 1991 Supp. 79-252, the City shall not exempt any tangible personal property of a business if such property is currently subject to ad valorem taxation within the State of Kansas or has been exempted from taxation pursuant to section 13 of article 11 of the Kansas Constitution, except if the governing body makes a factual determination that such an exemption is required to retain jobs in the state of Kansas, an exemption may be granted for such tangible personal property.

Section 11. Application of “But-For” Principle. Any tax exemption-incentive granted by the City shall be subject to the “but-for” principle, i.e., the tax incentive must make such a difference in determining the establishment of expansion of the business that the business would not otherwise be established or expanded in the City but for the availability of the tax incentive. It is the policy of the City Council that private businesses should not be subsidized with public funds,

the indirect consequence of tax exemptions-incentives, unless some public good results and the public subsidization can reasonably be expected to make a significant difference in achieving economic growth and development and the creation of new jobs within the City.

Section 12. Analysis of Costs and Benefits. The City will consider granting tax exemptions-incentives only upon a clear and factual showing of direct economic benefit to the City through advancement of its economic development goals, including the creation of additional jobs and the stimulation of additional private investment. Before a tax exemption-incentive is granted to an application, a cost-benefit analysis report which shall examine the costs and benefits to the public of the proposed tax exemption-incentive will be required. Analysis will be completed by a designated agent of the city and all associated costs will be the responsibility of the applicant. The cost-benefit analysis report shall consider but not be limited to the following factors, as applicable:

- (a) The appraised valuation of the property in relation to the economic benefit to the City of increased employment.
- (b) The gain in tax revenue which may result from the new or expanded business, including the increase in the property tax base upon the expiration of the exemption.
- (c) The contribution that the new or expanded business will make towards increased employment and earnings within the community.
- (d) The number of new jobs created directly by the business in relations to the amount of tax incentives granted.
- (e) The kinds of jobs created in relation to the type of skills available from the local labor market.
- (f) The utilization by the business of labor skills and abilities of unemployed persons in the community.
- (g) The degree to which the business improves the diversification of the economy of the city and its environs.
- (h) The degree to which the ultimate market for the manufactured products is outside the community, recognizing that outside markets bring in "new money" to the local economy.
- (i) The potential of the business for future expansion and additional job creation.
- (j) The beneficial impacts the business may have by creating other new jobs and businesses, including the utilization of local products or other materials and substances in manufacturing.
- (k) The beneficial economic impact the business will have on a particular area of the city, including designated enterprise zones and areas of needed revitalization or redevelopment.
- (l) The compatibility of the location of the business with land use and development plans of the city and the availability of the existing infrastructure facilities and essential public services.
- (m) The extent to which additional direct or indirect public costs to the city and to other local units would be necessary, such as the cost of the extension of public facilities.
- (n) The extent to which the economic and employment benefits of the tax incentive accrue to the residents and taxpayers of those taxing subdivisions which indirectly "subsidize" the business as a result of the forgone tax revenue.

Section 13. No Exemptions. (1) No tax exemption shall be granted if the exemption would create, in the judgment of the City Council, an unfair advantage for one business over another competing business within the City. (2) No tax exemption shall be granted to any business

which commenced operations prior to August 5, 1986, nor for the expansion of a business unless such expansion created new employment.

Section 14. Amount of Tax Incentives. The two primary objectives of the City in granting tax exemptions for economic development are to (1) provided needed jobs, and (2) expand the economic and tax base of the City. Property taxes may be abated for new improvements to real property and for newly acquired items of personal property used by an eligible business in connection with an expansion or relocation of the business' operations in Bel Aire. Land and existing buildings are not generally eligible for property tax-exemption incentive but may be considered for tax exemption-incentive. Motor vehicles are not eligible for property tax exemption-incentive under this policy.

An initial maximum term of ten (10) years can be granted subject to review and approval of the City Council. Recommended percentages of property tax exemption-incentives shall be based on new job creation and capital investment by the eligible business.

Section 15. Application Required. The City will not consider the issuance of IRBs or granting of any tax exemption-incentive or both unless the business submits a full and complete application and provides such additional information as may be requested by the City Council. The application is included in this policy, upon completion, will provide the City Council with adequate and sufficient information to determine whether IRB issuance or a tax incentive or both should be granted and the amount thereof. The accuracy of the information provided in the application shall be verified by the applicant. Any misstatement of or error in fact may render the application null and void and may be cause for the repeal of any ordinance or resolution adopted in reliance on said information.

Section 16. Application and Renewal Fees. Any business requesting IRB issuance or a tax exemption or both pursuant to this statement shall pay to the City an application fee of \$1,500, which shall cover administrative and professional costs by the City in processing this application, including any required cost-benefit analysis. The fee shall be submitted at the same time the application form required by Section 15 is submitted. In addition, any business which has been granted an IRB, or tax exemption or both, shall pay an annual, non-refundable administrative fee in the amount of \$2,500.

Section 17. Initial Review Procedure. On receipt of the completed application form and the required fee, the City Manager shall determine (a) whether the application is complete and sufficient for review, and (b) whether the applicant business is eligible for IRB issuance or an exemption, or both, under the Kansas Constitution, this statement, and any other applicable laws. If the application is incomplete, the City Manager shall immediately notify the applicant, noting the need for such changes or additions as deemed necessary. If questions arise as to whether the business is legally eligible for IRB issuance or an exemption or both, the matter shall be referred to the City Attorney, who shall consult with the applicant business. If the application is found complete and is for a purpose which appears to be authorized by law, the City Manager shall make a recommendation to the City Council for consideration.

Section 18. Initial Governing Body Action. Upon receiving the recommendations of the City Manager, the City Council shall first determine whether to reject the requested IRB issuance or exemption or both, or to further consider the request. Upon a favorable vote for further consideration, the City Council shall either (1) issue a letter of intent as provided by Section 20,

or (2) schedule any required public hearing to consider granting a tax exemption-incentive.

Section 19. Notice and Hearing. No tax exemption shall be granted by the City prior to notice and a public hearing as required by K.S.A. 12-1740 *et seq.* or KSA 1991 Supp. 79-251. Notice of the public hearing shall be published at least seven days prior to the hearing in the official City newspaper, giving the purpose, time and place, and the hearing may be held at a regular or special meeting of the City Council. The City Clerk shall thereupon notify in writing the Board of County Commissioners, the appropriate school district, and the clerk of any other taxing jurisdiction, excluding the state, which derives or could derive property taxes from the affected business, advising them of the scheduled public hearing and inviting their review and comment. Upon request, the City Clerk shall provide such public agency with a copy of the application. The applicant business shall be invited, but not required, to attend the public hearing.

Section 20. Letters of Intent. Upon receiving the recommendations of the City Manager, the City Council may issue a letter of intent, setting for in general terms its proposed plans for issuing IRBs or granting a tax exemption-incentive or both, and any conditions thereto. Such letters of intent shall be issued only with the approval of the City Council, and as an expression of good faith intent, but shall not in any way bind the City to IRB issuance or the granting of an exemption-incentive or both. Such letters of intent shall expire six months after issuance but may be renewed. A public hearing shall not be required prior to the issuance of letters of intent. No elected or appointed officer, employee or committee of the City, and no chamber of commerce, board, development council or other public or private body or individual, shall be authorized to speak for and commit the City Council to IRB issuance or the granting of a tax exemption-incentive or both.

Section 21. Annual Renewal Subject to Review. The extent and term of any tax exemption-incentive granted shall be subject to annual review by the City Council to ensure that the ownership and use of the property and any other qualifying criteria of the business for the tax exemption-incentive continue to exist. The review shall be completed by not later than February 1 of each year. The city may require an annual renewal application to be filed by the business. The annual renewal application shall include information from the business indicating compliance with any terms or conditions established by the City Council for the granting of the exemption, such as number, quality of jobs created, etc. Upon a finding that the property continues to meet all the terms and conditions established as a condition of granting the exemption, the City Clerk shall so certify to the owner for submission to the assessing officer, as provided by KSA 79-210a.

Section 22. Transfer of Ownership or Use. No exemption or tax incentives granted by the City shall be transferred as a result of a change in the majority ownership of the business. Any new owner shall file a new application for tax exemption-incentive. Further, the City shall be notified by the business of any substantive change in the use of tax-exempt property (see Section 26).

Section 23. Distribution of Revenue. The granting of tax exemptions-incentives by the City is hereby declared to be a contract under the provisions of K.S.A. 12-1740 *et seq.* and KSA 12-147. The in lieu of taxes payment which may be required of a business granted a tax exemption under this statement shall be paid to the County Treasurer, with notice of the amount and date paid provided to the City. The County Treasurer is directed to apportion the payment, under the provisions of subsection (3) of KSA 12-148, to the general fund of all taxing subdivisions, excluding the state, which levy taxes on property where the business is situated. The

apportionment shall be based on the relative amount of taxes levied, for any and all purposes, by each of the applicable taxing subdivisions.

Section 24. Origination Fee. The applicant for IRB issuance or tax exemption-incentive or both shall pay to the City an origination fee in an amount equal to 1% of the par value of the IRB, if applicable, or, if IRBs are not issued, 1% of the value of the property to be exempted. The origination fee shall apply equally to for-profit as well as not-for-profit issuances. The origination fee shall be capped at \$100,000 per IRB issuance or tax exemption-incentive.

As authorized by K.S.A. 12-1742, origination fees collected by the City shall be used by the City for the purpose of promoting and furthering local economic development activities.

The fee is due and payable at the time of IRB issuance, or, if IRBs are not issued, at the time of a Board of Tax Appeals order exempting property under a tax exemption-incentive. The City will, upon the request of the applicant, allow the applicant to pay the origination fee over a ten-year period of time. If payable over time, the fee shall be treated as a loan, amortized at the rate of 5%, and paid in 20 equal installments due on the first day of January and June of each year.

Section 25. Exemption Ordinance. The City Clerk shall provide a copy of the ordinance, as published in the official City newspaper, granting an exemption from taxation and any other necessary documents to the applicant for use in filing an initial request for tax exemption as required by KSA 79-213, and by KSA 79-210 for subsequent years.

Section 26. Exemption Forms. A copy of the exemption applications required by KSA 79-213 and by 79-210, and the statement required by KSA 79-214 for the cessation of an exempt use of property, shall be filed with the City Clerk by the property owner.

Section 27. Waiver of Statement Requirements. The City Council reserves the right to grant or not to issue IRBs or grant a tax exemption-incentive or both under the circumstances beyond the scope of this statement, or to waive any procedural requirement. However, no such action or waiver shall be taken or made except upon a finding by the City Council that a compelling or imperative reason or emergency exists, and that such action or waiver is found and declared to be in the public interest. The City Council shall not waive any procedural requirements required by state law.

Section 28. Definitions. For the purposes of this statement, in application to this City, the words or phrases as used in either the Constitution, applicable state law, or this statement shall have meaning or be construed as follows:

- (a) "Applicant" shall mean and include the business, property owner or owners, and their officers, employees, and agents.
- (b) "Associated therewith" as used with respect to tangible personal property shall mean being located within, upon or adjacent to buildings or added improvements to buildings.
- (c) "Commenced operations" shall mean the start of the business activity housed in the building for which a tax exemption-incentive is requested.
- (d) "Economic development purposes" shall mean the establishment of a new business or the expansion of an existing business, engage in manufacturing articles of commerce, conducting research and development, or storing goods or commodities which are sold or traded in interstate commerce, which results in additional employment.
- (e) "Expansion" shall mean the enlargement of a building or buildings, construction of a new

building, the addition of tangible personal property, or an combination thereof, which increases the employment capaCity of a business eligible for a tax exemption-incentive and which results in the creation of new employment.

- (f) "Manufacturing articles of commerce" shall mean a business engaged in the mechanical or chemical transformation of materials or substances into new products, as defined in the North American Industry Classification System (NAICS) Manual.
- (g) "Research and development" shall mean the application of science or technology to the improvement of either the process of manufacturing or manufactured products or both.
- (h) "Storing goods or commodities which are sold or traded in interstate commerce" shall refer to the business or storing property which may be exempt from ad valorem taxation under the provisions of KSA 79-201f.
- (i) "Tangible personal property" shall mean machinery and equipment used during the term of the tax exemption which may be granted.
- (j) "Tax incentive" or "tax exemption-incentive", see Section 5.

Section 29. Sliding Scale for Tax Exemption-Incentives. New jobs and capital investment will be the main factors for tax exemption-incentives. New job creation will be based on Full-time Equivalent (FTE) jobs based on 2080 hours per year. A sliding scale system may be utilized as example below.

The City reserves the right to use whatever scale it deems appropriate to the development situation, but will generally follow the below schedule:

SLIDING SCALE OF ABATEMENT BY PERCENTAGE										
Year	1	2	3	4	5	6	7	8	9	10
Exemption (%)	100	90	80	70	60	50	40	30	20	10

APPLICATION FOR EXEMPTION

CITY OF BEL AIRE, KANSAS
APPLICATION FOR IRB ISSUANCE OR PROPERTY TAX EXEMPTION OR
BOTH FOR ECONOMIC DEVELOPMENT PURPOSES

Industrial Revenue Bond issuance, or abatement from Ad Valorem property taxation or both pursuant to K.S.A. 12-1740 *et seq.* or Article II, §13 of the Kansas Constitution is requested for all or any portion of facilities for agricultural, commercial, hospital, industrial, natural resources, recreational development and manufacturing purposes, with respect to issuance of industrial revenue bonds, or the appraised valuation of property used for the purpose of manufacturing articles of commerce, conducting research and development, or storing goods or commodities which are sold or traded in interstate commerce, with respect to other tax exemption-incentives, as described herein. This application is submitted in conformance with the applicable Statement of Policy and Procedures of the City and it is understood that the City may require in lieu of payments for property, which becomes tax-exempt. The attached sheets, if any, are submitted as a part of this application.

Part I. Applicant Identification

Name of Applicant firm: _____

Contact Person (Name and Title): _____

Address: _____

Street or P.O. Box

_____ City State Zip

Telephone Number: _____

Names and percent of ownership of all principal owners and officers of the Applicant

Firm: _____

Part II. Property Identification

List only taxable property for which IRB issuance or tax exemption-incentives or both is requested.

_____ Land. Attach legal description of property and plat showing location of buildings, added improvements to buildings, or both.

_____ Building(s). Attach description.

_____ Added improvements to buildings. Attach description and estimated cost.
_____ Tangible personal property. Attach list of each item with identifying
nomenclature and cost. Proof of purchase after August 5, 1986 must be provided
for each item on list.

Part III. Business Information

Type of business organization: _____
(i.e. corporation, subsidiary, partnership, sole proprietorship, etc.)

Date and place business organized or incorporated: _____

Name and parent company, if applicable: _____

Type of business: _____

Line or lines or products manufactured or research and development conducted, or goods or
commodities stored in buildings, for which IRB issuance or tax exemption or both is requested.

Business is... (Please check one) ☐ New ☐ Existing

If NEW Business:

Date Operations will Commence: _____

If business is relocated to this City, give previous location(s): _____

If construction of a new building for a new business is involved, give anticipated date of
completed construction: _____

If EXISTING Business:

Date expansion will be completed: _____

Purpose of expansion: _____

Does expansion involve?

- _____ Acquisition of existing building
- _____ Enlargement of existing building
- _____ Construction of new building

Describe how property identified above facilitates the expansion of such existing business:

Part IV. Employment Data

Existing Business: Describe how expansion has or will create new employment include wage for each new position:

New Business: Describe how many new jobs will be created in total as well as over the 10 year period. Identify average wage for each new job:

Part V - Financial Responsibility

Attach a description of the businesses' financial situation. This may include a financial statement, audit and other relevant information to assess the stability of the business. Indicate whether there is any pending or threatening litigation affecting the viability of the business.

Part VI. Certification of Applicant

I, _____, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter.

Date_____ Signed _____
Name

Title

Part VII. Acknowledgment of Receipt

Receipt of \$1,500.00 fee is hereby acknowledged:

Date: _____ City Manager:_____

PROJECT APPLICATION (CITY OF BEL AIRE, KS)

Name of Corporation/Partnership _____

Date of Request _____

Address _____

Primary Contact _____

Address _____

Phone _____ Fax _____ E-mail _____

A. APPLICANT INFORMATION

B. Name and addresses of all persons or corporations who would be obligated as either applicant or personal guarantors of subsidy:

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

C. Name and addresses of the principal officers and directors of the applicant:

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

D. Applicant's Attorney

Name _____

Phone Number _____

E. Applicant's Financial Advisor

Name _____

Phone Number _____

F. Applicant's Accountant

Name _____

Phone Number _____

G. Requested Subsidy:

Category:	Source/Type/Description:	Requested Amount:
Tax Increment Financing		\$
Tax Abatement		\$
Industrial Revenue Bonds		\$
Other – Land Write-Down		\$
Other – Special Assessments		\$
Other – Public Improvements		\$
TOTAL REQUEST		\$

H. Complete Project Sources and Uses:

Sources:

Private Bank Loan	\$
Private Equity	\$
State/Local Loan/Grant Funds	\$
Tax Increment/Tax Abatement	\$
Other (specify)	\$
Total Sources:	\$

Uses:

Land Acquisition	\$
Building Construction/Reconstruction	\$
Machinery/Equipment	\$
Site Improvements	\$
Installation of Public Utilities	\$
Parking Improvements	\$
Legal/Financial Costs	\$
Surveying/Platting/Permitting	\$
Other (specify)	\$
Total Uses:	\$

I. Use of Subsidy:

Amount requested for purchase of land:	\$
Amount requested for building:	\$
Amount requested for equipment:	\$
Amount requested for site improvements:	\$
Amount requested for public utilities:	\$
Working capital:	\$
Other (specify):	\$
TOTAL REQUEST	\$

J. Project Details:

1. Include the following project details on a separate sheet:
- breakdown of commercial square footage, i.e., office, retail, manufacturing, industrial, hospitality, entertainment, etc

▪ cost per square footage of construction of each type of housing unit and each type of commercial use

▪ commencement and completion for each project component, include site improvements and public infrastructure

▪ dates for sale or lease of units, occupancy start, and full occupancy, etc

▪ estimated appraised value of project when complete, separated by use

▪ describe how the property will be subdivided by uses

▪ estimated taxable sales per s.f. of retail, hospitality, etc.

2. Name and address of Contractor

Name and address of Architect:

3. What type of equipment will be financed, if any?

K. Proposed Location/Timing of Construction:

1. Location of the project:

2. What percentage of the building will be occupied by the applicant?

3. Is the project properly zoned?

4. If a zoning change is pending, cite application number and present status. If application has not been made, briefly describe what change will be needed and plans for submitting application:

5. If unusual demands for water or sewer services or police or fire protection will be made, specify the demands:

L. Ownership and Management:

1. Describe the development company, ownership, affiliated/partner companies (identify membership entities):

2. What portion of the project is being financed from other affiliate or partner funds?

\$ _____

Please Explain _____

3. Will portions of the project be sold to other entities? If so, please explain

4. Describe all threatened or pending/outstanding litigation and legal claims or regulatory issues:

Disclosure items:

Has the applicant or any affiliated party defaulted on a real estate obligation? _____

Has the applicant or any affiliated party declared bankruptcy? _____

Has the applicant or any affiliated party had judgments recorded against them? _____

If the answer is yes to any of the above, please explain.

M. Job Creation Detail:

Type of Job	No. of this Type	Average Annual Wage
Professional	_____	_____
Technical	_____	_____
Clerical	_____	_____
General Labor	_____	_____
Other: (specify _____)	_____	_____

What is the total Annual Payroll? _____

N. Financial Capacity:

1. Provide copies of applicant's financial statements (balance sheets and income statements) for the past three years certified as correct by the owner or an authorized officer (or audited) and current (year to date)

2. Provide current (year to date) and three years historical financial statements (balance sheets and income statements) for the affiliated/partner entities, to demonstrate financial capacity

3. Provide last three years income tax returns for development principals, if applicable.

- 4. Audited financials are required, and if not available, provide an explanation.
- 5. Letter from the primary lender(s) stating the amount of conventional financing available for the project

O. References and Relevant Experience:

- 1. Provide names and locations of recent comparable projects
- 2. Provide private, public, and non-profit sector references from comparable projects. Please include names of government contacts with which the developer worked, if applicable.
- 3. Include three relevant experiences.

I, _____, hereby certify that the foregoing attached information is true and correct to the best of my knowledge.

Further, it is understood that additional information may be requested by the City to assist the Governing Body in its consideration of this matter. A non-refundable application fee of \$1,500.00 will be paid upon submission of application.

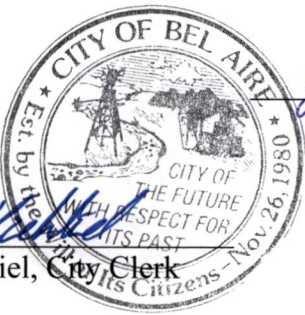
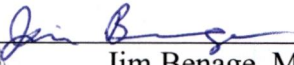
Date _____ Signed _____
Name

Title


Receipt is hereby acknowledged:

Date: _____ City Manager: _____

Adopted this 7th day of June, 2022 by the Bel Aire City Council.

Jim Benage, Mayor



Melissa Krehbiel, City Clerk

(Signature page to IRB Policy, revised 6/07/2022)

City of Bel Aire, Kansas

STAFF REPORT

DATE: January 13, 2023

TO: Governing Body, City Manager

FROM: Planning Commission

RE: January 12, 2023, Planning Commission Meeting



CON-22-02 Property owner has requested to allow for an accessory apartment in an R-1 Residential Zoning district.

The planning commission considered an application to allow for an Accessory Apartment to be placed at 4046 N Harding Ave in Aurora Park.

Before the hearing was opened, Chairman Schmidt read the Zoning Regulations for R-1 zoning to clarify allowable uses and uses that required a conditional use in that particular zoning area noting that Accessory Apartments were a part of the allowed uses through a conditional use permit. He emphasized that conditional uses “shall be permitted in the ‘R-1’ District if reviewed and approved by the Planning Commission...”

Chairman Schmidt opened the public hearing and allowed the applicant to present the need and use of the Accessory Apartment and the reason for applying. The applicant stated that there was an accessory structure, or detached garage, on the premises that had burned and expressed the desire to rebuild the garage and add living quarters for guests and/or aging parents.

After hearing from the applicant, several citizens requested a chance to speak (both in favor of and against the application). Each citizen was given their chance to speak with a three (3) minute time limit. Sylvia Forte, 4072 N Harding Ave, was the first to speak against the proposed usage. She was not concerned with the intentions of the applicant but was concerned with the future use of the structure and its possibility of becoming a rental property. Melanie Penner, 4100 N Battin St, was the next to speak and discussed changing existing zoning and the issue that arose with that change. (This specific request is not a change to the zoning.) She spoke to protective covenants that exist in Aurora Park. The next to speak was Mark Arrasmith of 4001 Harding St. He spoke of the importance of being involved and taking these matters seriously. He also made a statement or request to understand the future of conditional uses and if they have a time limit before they become void. Mary Malicoat, 4150 N Battin St, was the last to speak. She was speaking on behalf of her father Robert Malicoat. She explained that as a lawyer, she believes that the City is required to approve the request if the conditional use meets the requirements in the Code.

After closing the hearing, the Planning Commission discussed the conditional use request and the concerns that were mentioned. Commissioner Floyd wanted to answer one of the questions that arose in the public hearing of the time frame of the conditional use permit and if it ran with the property. It was explained by Planning Commission Secretary, Jay Cook, the process of the conditional use. He stated that if the Planning Commission recommended approval of the application, there would be a vote

by the Governing Body for approval or denial. He also stated that before being presented to the Governing Body, there would be the opportunity for a protest petition to be filed if the citizens of the Notification Area chose to disagree with the decision of the Commission. The vote would still go before the Governing Body but the parameters of the vote would change. After explaining this process, he stated that an ordinance would be drafted (if approved) and the ordinance would be registered with the register of deeds and stay with the property in perpetuity.

There was discussion about the size of the lot, which is 2.75 acres, and that an accessory apartment would not be a burden on the density of the R-1 lot. The protective covenants were mentioned. It was explained that the Protective Covenants are the responsibility of the property owners of the neighborhood and is a private document that should not be taken into consideration by the City or the decision to be made. The last concern that was mentioned was the wording of the Code that calls the use an “Accessory Apartment” because of the negative connotation of the word “Apartment.”

After review, the Planning Commission voted (by passing a 6-0 motion) to **recommend to allow the accessory apartment in an R-1 district for use exclusively by owner of 4046 Harding Ave or guests as presented without conditions.**

Staff Report

There was nothing significant to report.

The Planning Commission voted unanimously to approve the next meeting date of 02/09/2023 at 6:30 in the Council Chambers.

APPLICATION

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

BOARD OF ZONING APPEALS

☐ To vary applicable requirements in Sections 10-107c1 through 5 in conjunction with a Conditional Use Application.

☐ Conditions placed on permitted Conditional Use _____

☐ Security bond is required

☐ Approved

☐ Rejected

Name of owner Gary and Julie Breault

Address 4046 Harding Rd Telephone 316.305.8944

Agent representing the owner _____

Address _____ Telephone _____

1. The application area is legally described as Lot(s) 9; Block(s) G,
Aurora Park Addition Addition, Bel Aire, Kansas. If appropriate, a metes and
bounds description may be attached.

2. The application area contains 2.75 acres.

3. This property is located at (address) 4046 Harding Rd which is generally located at (relation to nearest streets) 39th St & Harding Rd.

4. State why the proposed conditional Use will not cause substantial injury to the value of other property in the neighborhood, how it is to be designed within district regulations:

This structure previously existed. We are rebuilding the original garage and adding an additional 672 sf of floor space for an accessory apartment. The original structure received compliments from neighbors and will be rebuilt in the same manner. The apartment is intended for use by our family and friends. We have no intentions to rent to strangers while we own the property. It will be one bedroom and one bathroom with a loft for storage when eventually finished. The original building was 32' x 48' - the new building will be 48' x 48'.

5. County control number: 238527

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

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

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

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

1. Applicant * attached * Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

2. Applicant _____ Phone _____
Address _____ Zip Code _____

Agent _____ Phone _____
Address _____ Zip Code _____

3. Applicant _____ Phone _____

Address _____ Zip Code _____

Agent _____ Phone _____

Address _____ Zip Code _____

4. Applicant _____ Phone _____

Address _____ Zip Code _____

Agent _____ Phone _____

Address _____ Zip Code _____

5. Applicant _____ Phone _____

Address _____ Zip Code _____

Agent _____ Phone _____

Address _____ Zip Code _____

6. Applicant _____ Phone _____

Agent _____ Phone _____

Address _____ Zip Code _____

7. Applicant _____ Phone _____

Agent _____ Phone _____

Address _____ Zip Code _____

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


Applicant's Signature

BY

Authorized Agent (If Any)

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

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

Lot 9, Blk G, & 1/20 undivided interest in Fawn Lake Subject Property	Aurora Park Addition	Gary L. & Julie A. Breault 4046 N. Harding Ave. Bel Aire, KS 67220
Lot 7, Blk G, & 1/20 undiv interest in Fawn Lake	"	Ronald W. & Melanie R. Penner 4100 N. Battin Bel Aire, KS 67220
Lot 8, Blk G, & 1/20 undiv interest in Fawn Lake	"	Joseph E. & Sylvia M. Forte 4072 N. Harding Bel Aire, KS 67220
Lot 10, Blk G, & 1/20 undiv interest in Fawn Lake AND Lot 2, Blk C	"	Sallie Olson & Gary L. Olson 4171 N. Edgemoor Bel Aire, KS 67220
Lot 11, Blk G, & 1/20 undiv interest in Fawn Lake	"	Cecil & Susan R. Gardner 5110 E. 39 th St. Bel Aire, KS 67220
Lot 12, Blk G, & 1/20 undiv interest in Fawn Lake	"	Sarah A. Almquist & Bradley M. Lewis 5116 E. 39 th St. Bel Aire, KS 67220
Lot 1, Blk B	"	Logan A. & Ashley D. Schrag 4071 N. Harding Bel Aire, KS 67220
Lot 2, Blk B	"	James A. Bender 4051 N. Harding Bel Aire, KS 67220
Lot 3, Blk B	"	David Ray Newman II 4031 N. Harding Bel Aire, KS 67220
Lot 4, Blk B	"	Mark & Richelle Arrasmith 4001 N. Harding Bel Aire, KS 67220

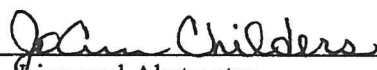
Lot 5, Blk B	“	Carlos Castro Rodriguez & Aida Vargas 3901 N. Harding Bel Aire, KS 67220
Lot 1, Blk C	“	Homecrest Trust Wallace D. Cook & Marlene G. Cook 3900 N. Harding Bel Aire, KS 67220
Lot 3, Blk C	“	Gary N. & Carolyn J. Gunzelman 5029 E. 39 th St. Bel Aire, KS 67220

We hereby certify the foregoing to be a true and correct list of the property owners of the herein before described lots within a 200 foot radius of:

Lot 9, Block G, in Aurora Park, an Addition to Bel Aire, Sedgwick County, Kansas, and a one/twentieth undivided interest in that portion of the Aurora Park surveyed and recorded as “Fawn Lake”.

as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 2nd day of November, 2022, at 7:00 A.M.

Security 1st Title, LLC

By: 
Licensed Abstracter

Order: SG945
KJK

Revised

OWNERSHIP LIST

PROPERTY DESCRIPTION

PROPERTY OWNER

Lot 9, Blk G, & 1/20 undivided interest in Fawn Lake Subject Property	Aurora Park Addition	Gary L. & Julie A. Breault 4046 N. Harding Ave. Bel Aire, KS 67220
Lot 4, Blk G, & 1/20 undiv interest in Fawn Lake	"	Jacqueline M. Malicoat Revocable Trust 4150 N. Battin Bel Aire, KS 67220
Lot 5, Blk G, & 1/20 undiv interest in Fawn Lake	"	Lincoln D. Scott & Stephanie Pulliam 4140 N. Battin Bel Aire, KS 67220
Lot 6, Blk G, & 1/20 undiv interest in Fawn Lake	"	Jesus M. & Barbara M. Gonzalez 4124 N. Battin Bel Aire, KS 67220
Lot 7, Blk G, & 1/20 undiv interest in Fawn Lake	"	Ronald W. & Melanie R. Penner 4100 N. Battin Bel Aire, KS 67220
Lot 8, Blk G, & 1/20 undiv interest in Fawn Lake	"	Joseph E. & Sylvia M. Forte 4072 N. Harding Bel Aire, KS 67220
Lot 10, Blk G, & 1/20 undiv interest in Fawn Lake AND Lot 2, Blk C	"	Sallie Olson & Gary L. Olson 4171 N. Edgemoor Bel Aire, KS 67220
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Lot 12, Blk G, & 1/20 undiv interest in Fawn Lake	"	Sarah A. Almquist & Bradley M. Lewis 5116 E. 39 th St. Bel Aire, KS 67220

Lot 13, Blk G, & 1/20 undiv interest in Fawn Lake	“	Richard & Cynthia Phinney Family Trust 630 E. 61 st St. Wichita, KS 67219
Lot 14, Blk G, & 1/20 undiv interest in Fawn Lake	“	Richard E. Harder & Rose L. Harder 4025 N. Parkwood Bel Aire, KS 67220
Lot 15, Blk G, & 1/20 undiv interest in Fawn Lake	“	Thomas P. & Debra M. Jenkins 4037 N. Parkwood Bel Aire, KS 67220
Lot 16, Blk G, & 1/20 undiv interest in Fawn Lake	“	Sheryl A. Vandiver Revocable Trust 4049 N. Parkwood Lane Bel Aire, KS 67220
Lot 17, Blk G, & 1/20 undiv interest in Fawn Lake	“	Kevin & Jennifer Connell Trust 4061 N. Parkwood Lane Bel Aire, KS 67220
Lot 18, Blk G, & 1/20 undiv interest in Fawn Lake	“	Martin P. Burger & Toby D. Kennedy-Burger 4075 N. Parkwood Bel Aire, KS 67220
Lot 19, Blk G, & 1/20 undiv interest in Fawn Lake	“	Philip R. Harms 4101 N. Parkwood Bel Aire, KS 67220
Lot 20, Blk G, & 1/20 undiv interest in Fawn Lake	“	Neill E. Bryan & Catherine L. Bryan 4119 N. Parkwood Bel Aire, KS 67220
Lot 21, Blk G, & 1/20 undiv interest in Fawn Lake	“	John & Barbara Kropf Revocable Trust 4129 N. Parkwood Bel Aire, KS 67220
Lot 22, Blk G, & 1/20 undiv interest in Fawn Lake	“	Janet Diane Ralston 4141 N. Parkwood Lane Bel Aire, KS 67220
Lot 23, Blk G, & 1/20 undiv interest in Fawn Lake	“	Gary W. Sprague 4153 N. Parkwood Bel Aire, KS 67220

The common areas in that portion of the Aurora Park surveyed and recorded as "Fawn Lake" are owned jointly by the owners of the individual Lots, each Lot owner receiving an undivided interest in the common areas at the same time they acquire title to their Lot.	"	
Lot 1, Blk B	"	Logan A. & Ashley D. Schrag 4071 N. Harding Bel Aire, KS 67220
Lot 2, Blk B	"	James A. Bender 4051 N. Harding Bel Aire, KS 67220
Lot 3, Blk B	"	David Ray Newman II 4031 N. Harding Bel Aire, KS 67220
Lot 4, Blk B	"	Mark & Richelle Arrasmith 4001 N. Harding Bel Aire, KS 67220
Lot 5, Blk B	"	Carlos Castro Rodriguez & Aida Vargas 3901 N. Harding Bel Aire, KS 67220
Lot 1, Blk C	"	Homecrest Trust Wallace D. Cook & Marlene G. Cook 3900 N. Harding Bel Aire, KS 67220
Lot 3, Blk C	"	Gary N. & Carolyn J. Gunzelman 5029 E. 39 th St. Bel Aire, KS 67220

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as shown by the last deed of record filed in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 1st day of December, 2022, at 7:00 A.M.

Security 1st Title, LLC

By: Jo Ann Childers
Licensed Abstracter

Order: SG945--Updated
KJK



We have paid to have our property surveyed. They will mark the borders of the flood plain so we can be sure to keep the barn out of that area.

West Side Roof turned

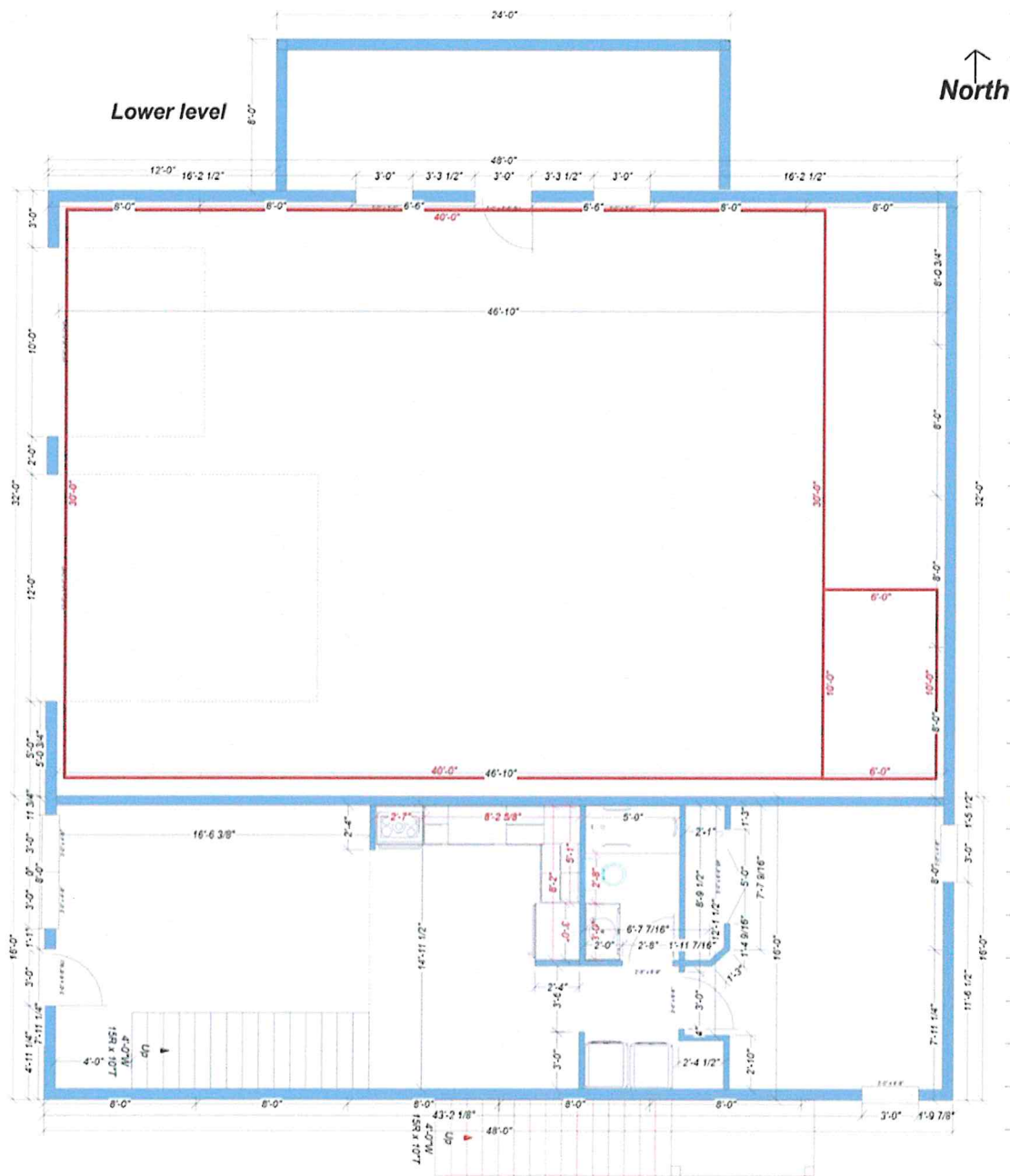


South West Side

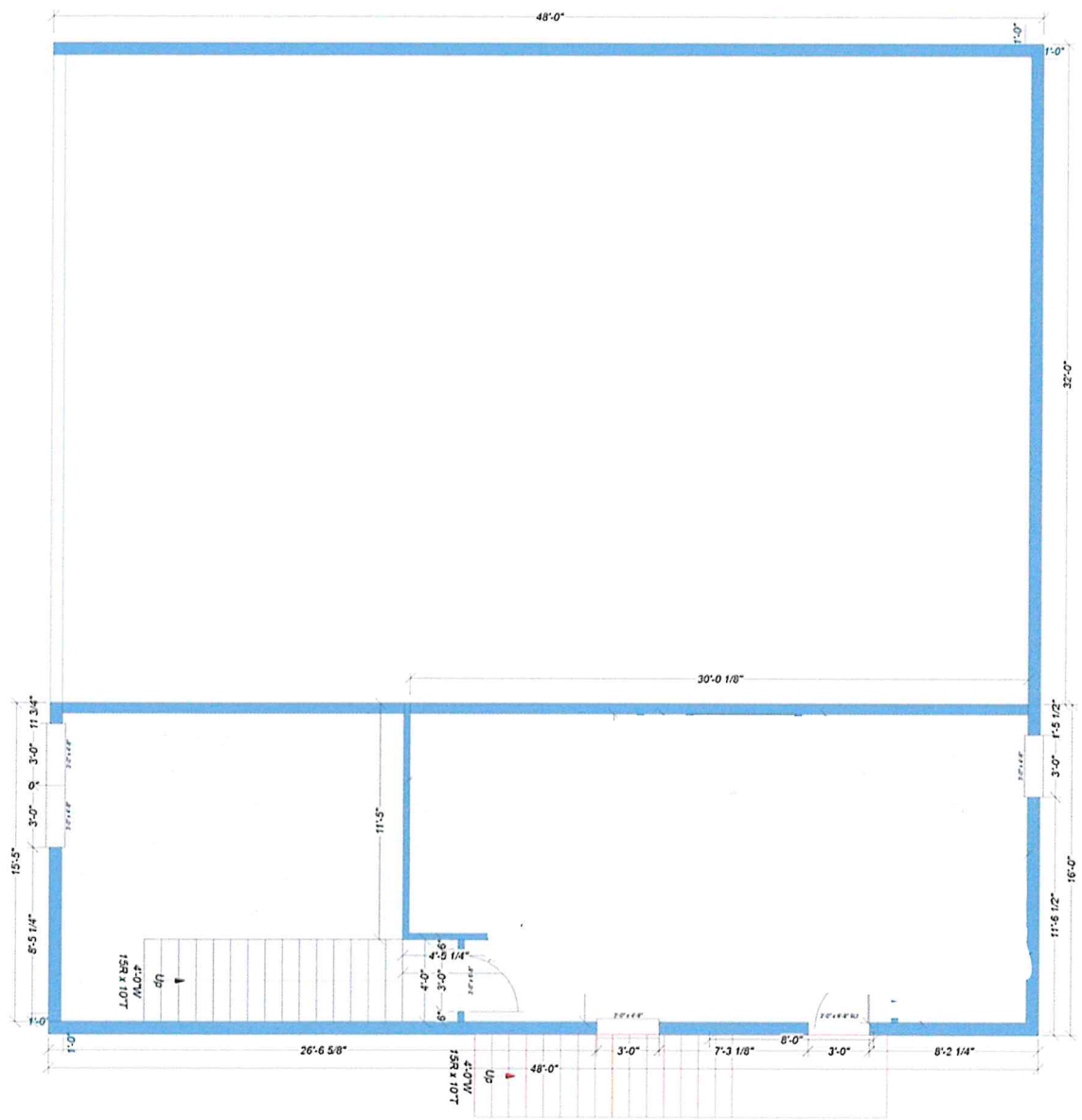


an.jpg

1st level



N ↑



Summary of Ordinance No. ____
City of Bel Aire, Kansas

On February 7, 2023, the City of Bel Aire, Kansas, adopted Ordinance No. ____, regarding approval of a Conditional Use allowing for an accessory apartment in an R-1 Residential Zoning district, Arura Park, all within the City of Bel Aire, Kansas. A complete copy of this ordinance is available online at <http://www.belaireks.org> under documents or during normal business hours at City Hall, located at 7651 East Central Park Ave., Bel Aire, KS 67226. The ordinance is not subject to a protest petition. Questions pertaining to this ordinance may be directed to Mr. Ty Lasher, City Manager, at (316) 744-2451. This summary has been reviewed and certified by Jacqueline Kelly, City Attorney.

(First Published in the Ark Valley News
on the February 7, 2023.)

THE CITY OF BEL AIRE, KANSAS

ORDINANCE NO. ____

AN ORDINANCE APPROVING A CONDITIONAL USE ON CERTAIN PROPERTY ZONED R-1 LOCATED WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF BEL AIRE, KANSAS.

WHEREAS, Notice of a public hearing to consider a special use request was published in the Ark Valley News on November 17, 2022, in conformance with Article Five of the Zoning Regulations of the City of Bel Aire, Kansas.

WHEREAS, A public hearing was convened on January 12, 2023 by the Planning Commission for the City of Bel Aire, Kansas, to consider the matter of permitting a conditional use upon a tract of land within the City of Bel Aire, Kansas, located at 4046 N Harding Ave in Aurora Park, in conformance with the requirements set forth in Article Five, Section Three (5.03), of the Zoning Regulations of the City of Bel Aire, Kansas;

WHEREAS, Following the public hearing, the Planning Commission found that the evidence supported recommending approval of this requested conditional use request based upon the guidelines set forth in Article Five, Section Three (5.03) of the Zoning Regulations of the City of Bel Aire, Kansas, in association with the owner's request to build an accessory apartment in conformance with the site plan provided to the Planning Commission, will not be contrary to the public interest or detract from the residential nature of the neighborhood;

WHEREAS, The Planning Commission for the City of Bel Aire, Kansas, recommends approval of the application by the owner, to allow for the conditional use upon the tract of land. Such granted use shall allow the property owner to install and maintain an accessory apartment according to applicant's site plan specifications at 4046 N Harding Ave in Aurora Park.

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

SECTION 1. The Governing Body adopts the recommendation of the Bel Aire Planning Commission to permit by conditional use the installation of an accessory apartment according to applicant's site plan specifications at 4046 N Harding Ave in Aurora Park, Bel Aire, Kansas.

SECTION 2. In conformance with Section 5.03 (D) and (E) of the Zoning Regulations, the Governing Body finds that the request for an accessory apartment as described in the site plan does not detract from the residential nature of the neighborhood.

SECTION 3. All ordinances, parts of ordinances, or other regulations or policies in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall not take effect until filed with the Register of Deeds.

SECTION 5. This Ordinance shall take effect and be in force from and after appropriate filing and the publication of its summary in the official city newspaper.

Passed by the City Council this 7th Day of February, 2023.

Approved by the Mayor this 7th Day of February, 2023.

Jim Benage, MAYOR

ATTEST:

Melissa Krehbiel, CITY CLERK

SEAL

City of Bel Aire, Kansas

STAFF REPORT

DATE: 1/27/2023

TO: City Council

FROM: Jay Cook



RE: Bid for Sidewalk Installment Between West Entrance of Central Park Ave and Isley School

SUMMARY: Asked and received bids from multiple concrete contractors to install new concrete walkway from the west entrance of Central Park Ave to the termination of sidewalk at Isley School.

DISCUSSION:

<i>Contractor</i>	<i>Amount</i>
Ruiz Concrete	\$29,982
Rochel Concrete	\$30,750
Calvin Opp Concrete	\$25,700
South Central Sealing and Paving	\$31,962.50

FINANCIAL: Funds have been allocated in the Capital Improvement Reserve Budget to achieve the goal from WAMPO and City Council to connect incomplete sidewalk along Woodlawn between Central Park Ave and Isley School.

RECOMMENDATION: All reported bids are reputable concrete companies that are licensed with the City and work throughout the City. Staff recommends taking the bid from Calvin Opp Concrete to complete the project.

CALVIN OPP CONCRETE, INC.
1375 S. BEBE ST.
WICHITA, KS 67209-2607

Section XI, Item I.

NOT RESPONSIBLE
 FOR SPRINKLER
 DAMAGE

Estimate

		28193	1/19/2023
Name / Address City Of Bel Aire ATTN: Keith Price 7651 E. Central Park Ave. Bel Aire, KS 67226-7600		Job Name	N. Woodlawn Project
		Job Location	North Woodlawn
		Customer Phone	316-744-2451 X 120
		Customer Alt. Phone	
		Customer Fax	
Business Office Location: 1415 S. Bebe St.		RESIDENTIAL CUSTOMERS: Ask Us About Special Financing With Approved Credit	

Item	Description	Total						
Service	<p>Approx. 1,030 Lineal Fett Of 5' Wide Sidewalk Rebar & Wire Mesh Reinforcement Includes Concrete Pump Rental For Concrete Placement</p> <p>TOTAL = \$25,700.00 CASH/CHECK PRICE</p> <p>For Information Or Questions Contact Bruce Davidson @ 316-734-8876</p> <p>Haul Off Old Concrete (Where Necessary); Sand Base Compact; 4" Of 4,000 PSI Concrete; Rebar And/Or Wire Mesh Reinforced; 1/2" Re-Bar Drilled Into Existing Concrete; All Labor & Materials Included. Final Payment Is Due Upon Completion.</p> <p>NOTE: If you should decide you want Opp Concrete to perform the above work on your property, please sign a copy of this estimate and return it to our office.</p> <p>* The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified, and final payment is due upon completion.</p> <p>DATE: _____</p> <p>SIGNATURE: _____</p> <p>NOTE: This Proposal May Be Withdrawn By Us If Not Accepted Within 10 Days</p>	25,700.00						
Thank You	<table><tr><td>Phone #</td><td>Fax #</td></tr><tr><td>316-944-4600</td><td>316-944-4602</td></tr></table>	Phone #	Fax #	316-944-4600	316-944-4602	<table><tr><td>Total</td><td>\$25,700.00</td></tr></table>	Total	\$25,700.00
Phone #	Fax #							
316-944-4600	316-944-4602							
Total	\$25,700.00							

Ruiz Concrete

1145 N Main
Wichita, KS 67203 US
+1 3162991679
ruben23ruizo@gmail.com

Section XI, Item I.



Estimate

ADDRESS	SHIP TO	ESTIMATE	1028
Billing City of Bel Aire	Billing City of Bel Aire	DATE	11/01/2022
City of Bel Aire	City of Bel Aire		
7651 E Central Park Avenue	7651 E Central Park Avenue		
Bel Aire, KS 67226 USA	Bel Aire, KS 67226 USA		

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Job address	Sidewalk 1025'x5'	1	0.00	0.00
	Sidewalk	new side walk construct	1	29,981.25	29,981.25
	Concrete blankets	0.75 per sq ft to cover concrete with blanket	1	0.75	0.75

Estimate :	SUBTOTAL	29,982.00
For the concrete services to be rendered at CITY of BEL AIRE	TAX	0.00
Ruiz concrete would like to submit an estimate of \$29,981.25.		
Estimate is to include material as well. If you would like to		
accept the estimate and be placed on our calendar for		
services, please contact Ruben at (316)299-1679 or Ricardo	TOTAL	\$29,982.00
to (316)941-6229 you can also reach us by email at		
Ruizconcrete28@gmail.com. Thank you for your		
consideration!		

Accepted By

Accepted Date



3600 West Esthner
Wichita Kansas 67213
 (316) 613-3433 Fax (316) 613-3499

Submitted To:
 ATTN: Jay Cook
 7651 E. Central Park Ave.
 Belaire, KS 67226

Proposal

Date: Thursday, January 26, 2023
 Project: City of Belaire
 Location: Various

Concrete sidewalk

1. We will install concrete sidewalk. Approx. 5,250 sqft. (1,050'x5').
2. Dirt work included in bid.
3. Base correction and sand will be used as needed.
4. Install 4" thick, 3,500 PSI concrete.

Bid Price for Concrete sidewalk.....\$31,962.50 tax exempt.

Cost surcharges:

Due to increases in material prices in FY 2022, we have had to add surcharges for increased costs. These increases have been entered in this proposal. South Central Sealing may need to adjust and add an additional surcharge if the cost increases further prior to completion of work. We will notify the Customer prior and request a change order be issued for further completion of work.

NET DUE UPON RECEIPT OF INVOICE. AFTER 30 DAYS A LATE CHARGE WILL BE ASSESSED AT THE MAXIMUM LEGAL RATE ON ALL UNPAID INVOICES.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Signature _____
 Alex Stephenson

NOTE: We may withdraw this proposal if not accepted within 30 days.

ACCEPTANCE:

The above prices, specifications, and conditions are satisfactory and are accepted. You are hereby authorized to do the work as specified.

Payment will be made as outlined above. YOU, THE BUYER MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE YOU SIGN AND RETURN THIS PROPOSAL FORM.

DATE _____ SIGNATURE _____

Return One Copy Of Signed Proposal To South Central Sealing L.L.C.

Jay Cook

From: Keith Price
Sent: Monday, November 7, 2022 7:50 AM
To: Paulino Sigala
Cc: Jay Cook
Subject: RE: sidewalk bids

Paulino:
I will get this to Jay for the process they have going.
Thanks

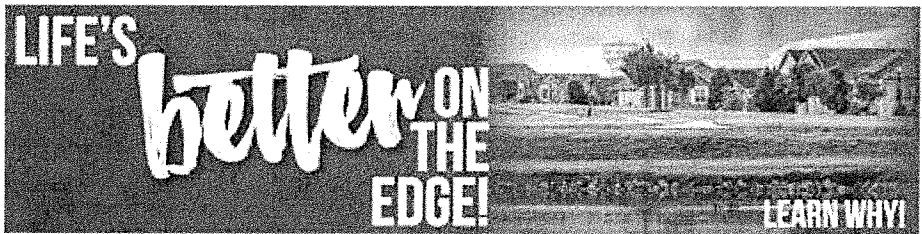


**City of
Bel Aire**

WWW.BELAIREKS.GOV

Keith Price
Building and Zoning Director
7651 E. Central Park Ave.
Bel Aire, KS 67226
P: (316) 744-2451 ext: 120





From: Paulino Sigala <paulinosigala@yahoo.com>
Sent: Sunday, November 6, 2022 7:52 PM
To: Keith Price <bldginsp@belaireks.gov>
Subject: Re: sidewalk bids

Paulino Sigala
Rochel Concrete
2129 N Homestead
Wichita, Ks. 67208

Hi Keith. Hope you are doing well. Here are the two estimates for concrete work.

First one it's approximately 1025 lineal ft of 5 ft wide sidewalk along Woodlawn just north of Central Park.
Total price \$30,750.00.

Second project is approximately 770 sq ft of sidewalk at Central Park and Bel Aire Park. Total price \$9,740.00.

We will use:

- 4000 PSI concrete mix.
- Wire mesh for reinforcement.
- 4 inch thick.
- Light broom finish.

City of Bel Aire, Kansas

STAFF REPORT

DATE: January 31, 2023

TO: Governing Body, City Manager

FROM: City Attorney

RE: Annual Recodification Ordinance



SUMMARY:

K.S.A. 12-3015 provides that municipalities may compile and revise the general ordinances of the City, change sections deemed advisable, omit section deemed unnecessary, add new provisions, and adopt the whole by an adopting ordinance and publication in permanently bound or loose-leaf book form. Pursuant to that authority, it is recommended that the City of Bel Aire merge the ordinances passed this year into the municipal code to ensure the local laws are uniformly updated in accordance with State law and that local laws continue to meet the needs of the public in an organized and accessible manner. The proposed codification will incorporate the following ordinances passed since last codification into a new code edition titled, "*Code of the City of Bel Aire, Kansas, 2023*".

DISCUSSION:

Changes to the Code since last codification include ordinances passed related to the animal code, street parking in Prairie Preserve, detonation of fireworks, mayor and council terms, and other general changes and annual updates to the Standard Traffic Ordinances and the Uniform Public Offence Code. Since the City invested in publishing a current searchable version of the code online, these changes have been made in that online version in addition to the official code book at City hall. After the Governing Body adopts the all changes will go live on the City website.

RECOMMENDATION:

Approve the recodification ordinance, incorporating the changes as presented and publish to the City website.

(Published in the _____ on _____, 2023)

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE CODIFICATION OF
ORDINANCES OF THE CITY OF BEL AIRE, KANSAS,
PROVIDING FOR THE REPEAL OF CERTAIN OTHER
ORDINANCES NOT INCLUDED THEREIN, EXCEPTING
CERTAIN ORDINANCES FROM REPEAL AND SAVING
CERTAIN ACCRUED RIGHTS AND LIABILITIES.**

BE IT ORDAINED by the Governing Body of the City of Bel Aire, Kansas:

Section 1. Adoption of the Code of the City of Bel Aire, Kansas.

The codification of ordinances of the City of Bel Aire, Kansas, prepared by Citycode Financial LLC, Wichita, Kansas, as set out in the following chapters, Chapters 1 to 19 and Appendices A and B, all inclusive, and entitled the “Code of the City of Bel Aire, Kansas,” is hereby authorized, adopted and ordained as the “Code of the City of Bel Aire, Kansas.” The Code is authorized by ordinance and was made in conformity with K.S.A. 12-3014 and 12-3015 and amendments thereto. Said code shall be duly certified by the City Clerk. One copy of the code shall be filed in the office of the City Clerk and shall be designated as and shall constitute the official ordinance book. Three additional copies shall be filed in the office of the city clerk and shall be designated for use by the public.

Section 2. Repeal of general ordinances.

All ordinances and parts of ordinances of a general nature passed prior to February 7, 2023 are hereby repealed as of the date of publication of said code except as hereinafter provided.

Section 3. Same; excepting certain ordinances from repeal.

In construing this ordinance, the following ordinances shall not be considered or held to be ordinances of a general nature:

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenues, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;
- (f) Ordinances creating districts for public improvements of whatsoever kind or nature;

- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;
- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the city;
- (k) Ordinances authorizing contracts;
- (l) Ordinances establishing the limits of the city or pertaining to annexation or exclusion of territory;
- (m) Ordinances relating to compensation of officials, officers and employees of the city;
- (n) All charter ordinances;
- (o) Any appropriation ordinance or ordinances relating to a specific transfer of funds;
- (p) Any zoning ordinance or ordinances changing the zoning classification of any property within the city or amending the city's zoning map;
- (q) Ordinances of a temporary nature;
- (r) Any ordinance which is special, although permanent in effect;
- (s) Any ordinance, the purpose of which has not been accomplished.

Provided, that the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this section. Ordinances which are not of a general nature shall be numbered consecutively, approved by the governing body, published, and filed with the city clerk, but such ordinances shall not be prepared for insertion in this code, nor be deemed a part hereof.

Section 4. Arrangement of and notations throughout the code.

The arrangement and classification of the several chapters, articles, and sections of the code adopted by section 1 of this ordinance and the headnotes and footnotes at the ends of the sections, are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

Section 5. Accrued rights and liabilities.

The repeal of ordinances as provided in section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the

provisions of said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the passage, approval and publication of this ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefor.

Section 6. Severability.

If for any reason any chapter, article, section, subsection, sentence, portion or part of the "Code of the City of Bel Aire, Kansas," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this code.

Section 7. Effective date.

This ordinance shall be published in the official city newspaper and shall take effect and be in force from and after the publication of the "Code of the City of Bel Aire, Kansas" as provided in K.S.A. 12-3015.

ADOPTED AND PASSED by the governing body of the City on February 7, 2023 and **APPROVED AND SIGNED** by the Mayor.

JIM BENAGE, Mayor

ATTEST:

MELISSA KREHBIEL, City Clerk

CERTIFICATE OF THE CITY CLERK

State of Kansas)
)
Sedgwick County)

I, Melissa Krehbiel, City Clerk of the City of Bel Aire, Sedgwick County, Kansas do hereby certify that said city is a city of the second class of the mayor-council form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by ordinance and in accordance therewith is entitled the "Code of the City of Bel Aire, Kansas," that said codification was adopted as the "Code of the City of Bel Aire, Kansas," by the governing body by Ordinance No.____ passed on February 7, 2023 as authorized by K.S.A. 12-3015; that said ordinance and said codification of general ordinances as contained in this volume will take effect upon publication of 4 or more copies in book form; that the publication of 4 copies of this code in book form and said adoptive ordinance constitute due passage of this code and all general ordinances contained therein; that the codification and said adoptive ordinance as contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by K.S.A. 12-3015.

I further certify that the "Code of the City of Bel Aire, Kansas," and the matter therein contained will take effect and be in force from and after _____, 2023 (date of publication of the codification ordinance in the newspaper).

MELISSA KREHBIEL, City Clerk

DATE: _____, 2023.

City of Bel Aire, Kansas

STAFF REPORT

DATE: January 25, 2023

TO: Ty Lasher, City Manager

FROM: Anne Stephens, PE, City Engineer

RE: Bristol Hollows, Phase 2 Paving Bids



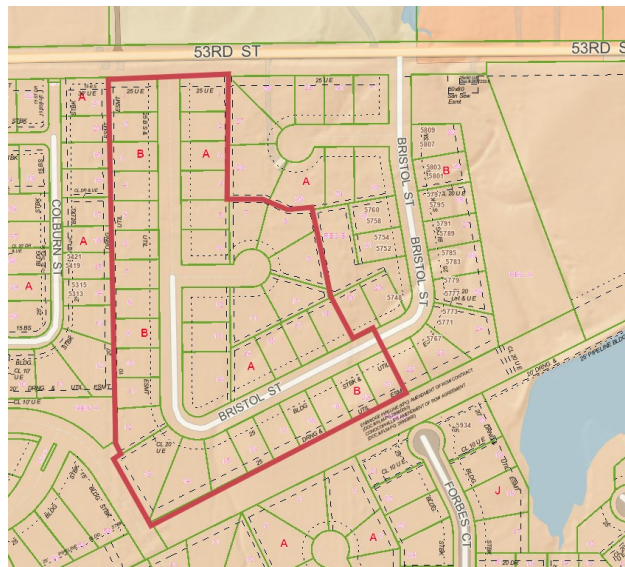
BACKGROUND:

The Developer of Bristol Hollows is ready to move forward with the construction of the Paving Improvements for Phase 2 of the infrastructure to support new homes in the subdivision.

DISCUSSION:

Garver worked with the Developer to design the paving improvements for Bristol Hollows, Phase 2. Bids were accepted on January 18th for the project. Four contractors responded to the solicitation.

Contractor	Total Bid
Engineer's Estimate	\$555,060.00
Andale	\$626,000.00
Dondlinger	\$696,668.85
Kansas Paving	\$515,245.10
Prado	\$600,251.75



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.

RECOMENDATION: Staff recommends that the City Council accept the bid from Kansas Paving for \$515,245.10.

**Briston Hollows Phase 2 Paving
Bel Aire, Kansas - Bid Tabulations
January 18, 2023**

Low Bidder													
Item No.	Item	Quantity	Unit	Engineer's Estimate		Andale Construction		Dondlinger		Kansas Paving		Prado Construction	
				Price	Extension	Price	Extension	Price	Extension	Price	Extension	Price	Extension
1	Site Clearing	1	LS	\$30,000.00	\$30,000.00	\$20,376.75	\$20,376.75	\$99,000.00	\$99,000.00	\$40,450.00	\$40,450.00	\$65,000.00	\$65,000.00
2	Site Restoration	1	LS	\$5,000.00	\$5,000.00	\$12,114.85	\$12,114.85	\$58,000.00	\$58,000.00	\$1,500.00	\$1,500.00	\$15,000.00	\$15,000.00
3	Excavation	8671	cy	\$3.00	\$26,013.00	\$2.94	\$25,492.74	\$3.00	\$26,013.00	\$5.00	\$43,355.00	\$3.10	\$26,880.10
4	Compacted Fill (95 Density)	7901	cy	\$1.00	\$7,901.00	\$2.45	\$19,357.45	\$1.50	\$11,851.50	\$1.00	\$7,901.00	\$0.50	\$3,950.50
5	Borrow, Contractor Provided	100	cy	\$15.00	\$1,500.00	\$22.18	\$2,218.00	\$14.00	\$1,400.00	\$26.00	\$2,600.00	\$13.00	\$1,300.00
6	Concrete Pavement, 6"	5440	sy	\$45.00	\$244,800.00	\$45.51	\$247,574.40	\$45.00	\$244,800.00	\$37.00	\$201,280.00	\$46.00	\$250,240.00
7	Conc. Valley Gutter Pavement, 7"	105	sy	\$60.00	\$6,300.00	\$63.61	\$6,679.05	\$50.00	\$5,250.00	\$52.00	\$5,460.00	\$50.00	\$5,250.00
8	Concrete Flume	42	lf	\$25.00	\$1,050.00	\$64.98	\$2,729.16	\$20.00	\$840.00	\$25.00	\$1,050.00	\$20.00	\$840.00
9	Reinforced Crushed Rock Base (5")	6817	sy	\$10.00	\$68,170.00	\$7.49	\$51,059.33	\$6.50	\$44,310.50	\$6.50	\$44,310.50	\$6.70	\$45,673.90
10	Curb & Gutter, Combined (3 5/8")	3600	lf	\$10.00	\$36,000.00	\$11.62	\$41,832.00	\$12.00	\$43,200.00	\$8.00	\$28,800.00	\$12.00	\$43,200.00
11	Curb, Monolithic (6 5/8" RL)	61	lf	\$5.00	\$305.00	\$9.29	\$566.69	\$3.00	\$183.00	\$3.00	\$183.00	\$3.00	\$183.00
12	Wheelchair Ramp	2	ea	\$750.00	\$1,500.00	\$757.50	\$1,515.00	\$600.00	\$1,200.00	\$450.00	\$900.00	\$600.00	\$1,200.00
13	Sidewalk, 6" Concrete (AE)	7097	sf	\$4.50	\$31,936.50	\$4.40	\$31,226.80	\$4.25	\$30,162.25	\$3.50	\$24,839.50	\$4.25	\$30,162.25
14	Sawcut Existing Pavement	102	lf	\$5.00	\$510.00	\$3.03	\$309.06	\$10.00	\$1,020.00	\$2.00	\$204.00	\$1.00	\$102.00
15	Pipe, SWS 15"	37	lf	\$40.00	\$1,480.00	\$62.84	\$2,325.08	\$61.00	\$2,257.00	\$61.00	\$2,257.00	\$61.00	\$2,257.00
16	Pipe, SWS 18"	460	lf	\$60.00	\$27,600.00	\$84.48	\$38,860.80	\$82.00	\$37,720.00	\$82.00	\$37,720.00	\$82.00	\$37,720.00
17	Type 1A Inlet, (L=5' W=3')	3	ea	\$4,250.00	\$12,750.00	\$7,340.18	\$22,020.54	\$7,125.00	\$21,375.00	\$7,125.00	\$21,375.00	\$7,125.00	\$21,375.00
18	Convert to Grated Driveway Inlet	1	ea	\$4,500.00	\$4,500.00	\$8,457.94	\$8,457.94	\$8,210.00	\$8,210.00	\$8,210.00	\$8,210.00	\$8,210.00	\$8,210.00
19	12" Perforated ADS N-12 Pipe with Sock	439	lf	\$30.00	\$13,170.00	\$34.00	\$14,926.00	\$33.00	\$14,487.00	\$33.00	\$14,487.00	\$33.00	\$14,487.00
20	12" Drain Basin ADS Nyloplast	4	ea	\$1,800.00	\$7,200.00	\$2,565.20	\$10,260.80	\$2,490.00	\$9,960.00	\$2,490.00	\$9,960.00	\$2,490.00	\$9,960.00
21	Rip Rap, Light Stone	14	sy	\$85.00	\$1,190.00	\$89.29	\$1,250.06	\$90.00	\$1,260.00	\$395.00	\$5,530.00	\$80.00	\$1,120.00
22	Sand Backfill, Jet & Vibrate	298	lf	\$15.00	\$4,470.00	\$1.03	\$306.94	\$1.00	\$298.00	\$1.00	\$298.00	\$1.00	\$298.00
23	Inlet Hookup	3	ea	\$500.00	\$1,500.00	\$303.00	\$909.00	\$350.00	\$1,050.00	\$450.00	\$1,350.00	\$350.00	\$1,050.00
24	Inlet Underdrain	60	lf	\$15.00	\$900.00	\$59.40	\$3,564.00	\$30.00	\$1,800.00	\$2.00	\$120.00	\$20.00	\$1,200.00
25	Maintain Existing BMP's	1	ls	\$500.00	\$500.00	\$520.15	\$520.15	\$300.00	\$300.00	\$100.00	\$100.00	\$50.00	\$50.00
26	BMP, Curlex Type 1 Blanket	3143	sy	\$1.50	\$4,714.50	\$1.77	\$5,563.11	\$1.20	\$3,771.60	\$0.10	\$314.30	\$1.00	\$3,143.00
27	BMP, Drop Inlet Protection	5	ea	\$200.00	\$1,000.00	\$130.04	\$650.20	\$130.00	\$650.00	\$0.10	\$0.50	\$50.00	\$250.00
28	BMP, Curb Inlet Protection	3	ea	\$200.00	\$600.00	\$104.03	\$312.09	\$120.00	\$360.00	\$0.10	\$0.30	\$50.00	\$150.00
29	Project Signage	1	LS	\$2,500.00	\$2,500.00	\$2,638.20	\$2,638.20	\$1,640.00	\$1,640.00	\$1,640.00	\$1,640.00	\$1,000.00	\$1,000.00
30	Project Seeding	1	LS	\$5,000.00	\$5,000.00	\$44,758.91	\$44,758.91	\$9,300.00	\$9,300.00	\$4,550.00	\$4,550.00	\$5,000.00	\$5,000.00
31	Contractor Provided Testing	1	LS	\$5,000.00	\$5,000.00	\$5,624.90	\$5,624.90	\$15,000.00	\$15,000.00	\$4,500.00	\$4,500.00	\$4,000.00	\$4,000.00

Low Bidder

Notice of 2023 Annual Meeting of Membership Kansas Rural Water Association Designation of Voting Delegate

Notice is hereby given that the 56th annual meeting of the membership of the Kansas Rural Water Association will be held on Thursday, March 30, 2023 beginning at 8:00 a.m. in Room 209 A at the Century II Convention Center in Wichita, Kansas. Active members of the Association (public and private water systems, current on dues) may appoint a voting delegate to the meeting of membership.

Please complete the form below and return it to KRWA to certify the appointment of your delegate and alternate. This form must be returned to KRWA by March 16 to ensure the registration of your delegate.

Agenda

Reading and approval of minutes
Report of officers
Audit Report
Report of Nominating Committee, election of directors
Manager's report
Unfinished business
New business
Adjournment

.....
Cut along this line — and return the form or entire brochure to: KRWA; PO Box 226, Seneca, KS 66538 by March 16

YOU MAY ALSO FAX THE FORM TO KRWA AT 785-336-2751 or

Please print or type -- **scan and email to krwa@krwa.net**

Name of System: _____ County: _____

Name of Delegate: _____

Address: _____ City: _____ Zip: _____

Email for delegate: _____

Name of Alternate Delegate: _____

Address: _____ City: _____ Zip: _____

Attest by Signature:

Chairman or Mayor: _____ Clerk, Secretary: _____

City of Bel Aire, Kansas

LAND BANK ANNUAL REPORT

DATE: January 23, 2023

TO: Land Bank

FROM: Finance Director, City Attorney

RE: 2022 Land Bank Ending Sales



SUMMARY:
Included in your packet is a report showing receipts and disbursements from funds under Bel Aire Land Bank control and including all Land Bank property transactions occurring in 2022.

RECOMMENDATION:
Land Bank recommend Governing Body accept and file the reports at their next meeting.

G/L REVENUE HISTORY REPORT

FROM 01/2022 TO 12/2022

Section XI, Item M.

ACCOUNT NUMBER	ACCOUNT NAME	(FISCAL 1/2022 TO 12/2022)	
DATE JOURNAL RECEIVED FROM/ALPHA ID		RECEIPT NO REF/DESCRIPTION	AMOUNT
10-00-4510	INTEREST ON INVESTMENTS		
10/31/22 GL5141	KMIP INVESTMENT POOL	MIP INTEREST	23,934.25
		MIP MONTHLY INTEREST 2022-10	
	ACCOUNT TOTAL		23,934.25
10-00-4520	MISC. INCOME		
1/20/22 RM6160	SEDGWICK COUNTY	612918 RES LOT SALE	16,588.19
		LANDBNK SPECIALS OVERPAY	
2/09/22 RM6262	SEDGWICK COUNTY	614778 RES LOT SALE	132.58
		TAX REFUND 30015273	
	ACCOUNT TOTAL		16,720.77
10-00-4550	RESIDENTIAL LOT SALES		
2/21/22 RM6319	SECURITY 1ST TITLE LLC	615757 RES LOT SALE	471,098.77
		K254 & ROCK #540931	
4/19/22 RM6658	SECURITY 1ST TITLE	621048 RES LOT SALE	7,500.00
		CP LOT SALE	
4/19/22 RM6658	SECURITY 1ST TITLE	621049 RES LOT SALE	7,500.00
		CP LOT SALE	
5/12/22 RM6794	SECURITY 1ST TITLE LLC	623598 RES LOT SALE	37,500.00
		5 CP LOTS	
6/03/22 RM6915	SECURITY 1ST TITLE LLC	625284 RES LOT SALE	1,236,096.82
		2 80S ROCK/245 #1540930 & 29	
7/22/22 RM7146	SECURITY 1ST TITLE	630404 RES LOT SALE	22,500.00
		ROW VACATION SCP BA IND	
7/22/22 RM7146	SECURITY 1ST TITLE	630405 RES LOT SALE	7,500.00
		LOT 2 BLOCK 1 CP ADD	
	ACCOUNT TOTAL		1,789,695.59
10-00-4551	COMMERCIAL LOT SALES		
2/09/22 RM6262	SECURITY 1ST TITLE	614777 COMMERCIAL SALE	1,227,741.59
		LT7&8BLC SCP LT2BKA SCP2	
3/15/22 RM6451	SECURITY 1ST TITLE LLC	618195 COMMERCIAL SALE	569,300.41
		SCP PH2	
	ACCOUNT TOTAL		1,797,042.00
10-00-4600	TRANSFER IN		
12/27/22 GL5169	TRSF GEN TO LAND BANK		135,000.00
	ACCOUNT TOTAL		135,000.00
	REPORT TOTAL		3,762,392.61

G/L EXPENSE HISTORY REPORT

FROM 01/2022 TO 12/2022

Section XI, Item M.

ACCOUNT NUMBER	ACCOUNT NAME	(FISCAL 1/2022 TO 12/2022)				
DATE	JRNL	NAME/OTHER REFERENCE	PO NUMBER	INVOICE	CHECK NO	REF/DESCRIPTION
						AMOUNT
10-00-5112		CONTRACTUAL SERVICES				
2/15/22	AP2109	ARK VALLEY NEWS	2022-01		67549	BREEZE AD;LEGAL PUBLICATIONS
						64.48
						LAND BANK INVENTORY
3/24/22	AP2160	SECURITY 1ST TITLE LLC	543824		67696	CITY VACATE PROCESS V-22-01
5/06/22	AP2197	SECURITY 1ST TITLE LLC	VAC-22-01			285.00
6/30/22	AP2249	SECURITY 1ST TITLE LLC	VAC-22-01			EFILING FEES
						38.00
						AP CHECK VOIDED
						38.00-
						EFILING FEES

		ACCOUNT TOTAL				349.48
10-00-6132		REAL ESTATE TAXES				
10-00-6133		LAND BANK SPECIAL ASSESSMENTS				
4/19/22	AP2178	SEDG CO TREASURER	2022-02		67772	2021 2ND HALF LANDBANK SPECIAL
12/06/22	AP2427	SEDG CO TREASURER	2022-1	LB	68624	2022 1ST HALF LANDBK SPECIALS
						65425.30
						131443.80

		ACCOUNT TOTAL				196,869.10
10-00-7700		DEBT SERVICE PRINCIPAL				
10-00-8000		TRANSFER TO GENERAL				
10-00-8070		TRANSFER OUT				
10-00-8705		LAND PURCHASE				
10-99-9999		PROFIT HANDLER				
12/31/22	GL5187					
					YEAR END ADJ.	3565174.03

		ACCOUNT TOTAL				3,565,174.03
					REPORT TOTAL	=====
						3,762,392.61



February 3, 2023

Mayor and Council,

I first want to thank you for allowing me to serve as your City Attorney for almost 6 years. I have thoroughly enjoyed being part of this growing community. It has been very rewarding to be involved in the many exciting projects going on in Bel Aire during my tenure.

I was recently offered the position of City Attorney with the City of Derby and feel it is the right time in my career to make this change. My last day with Bel Aire will be March 9th 2023. Though I am somewhat sad to go, I will look back fondly over my time in Bel Aire as a highlight of my career.

I have observed this group of elected officials to be deliberative, honorable, and truly concerned about the best interest of the people of Bel Aire. I have relished in the opportunities to advocate for Bel Aire alongside a team of some of the best professionals in local government. I cannot say enough about the admiration and respect I have for you all and the staff and I will always be a fan and supporter of Bel Aire, Kansas.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jacqueline Kelly", with a long, sweeping horizontal line extending to the right.

Jacqueline Kelly

City Attorney

STAFF REPORT

DATE: January 25, 2023
TO: Ty Lasher, City Manager & Bel Aire Governing Body
FROM: Brian Hayes, Recreation Director
RE: December Activities

Recreation

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- 15 kids attended the first ever School's Out Camp over the holiday break.
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- Taekwondo participation was steady with 16 students compared to 15 in November.
- 14 youngsters participated in Tippi Toes Dance compared to the same last month.
- Exercise classes were steady with 20 participants compared to 22 in November.
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- Park & Rec Master planning will begin next month with a site visit from Landworks Studio.
- Rec staff applied for a Phillips 66 Community Investment Grant for additional Alley Park improvements.
- Upcoming Rec programs include Youth Basketball, Indoor Soccer, & WHJBSL.

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- November highlights included Medicare counseling, several craft events, Annual Holiday Dinner, and an outing to Fulton Farms in Butler County.
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- This year's Holiday Celebration was held on December 3rd. Hundreds came out to visit with Santa, decorate cookies, and enjoy some treats & the light show. Thanks to the Chamber of Commerce, Lions Club and all the sponsors for making this year's event a success. Earlier in the day several families also stopped by the Rec Center for the annual Holiday Hoops Free Throw Contest. Holiday Hams were awarded to the winning families.

2022 Attachments

- *Recreation/Pool Participation & Revenue*
- *Community Events Summary*
- *Senior Participation*

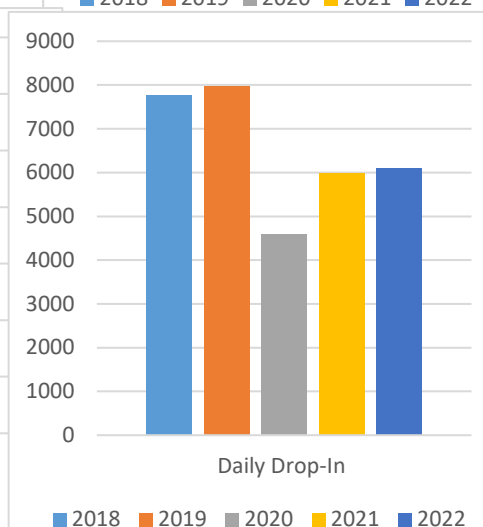
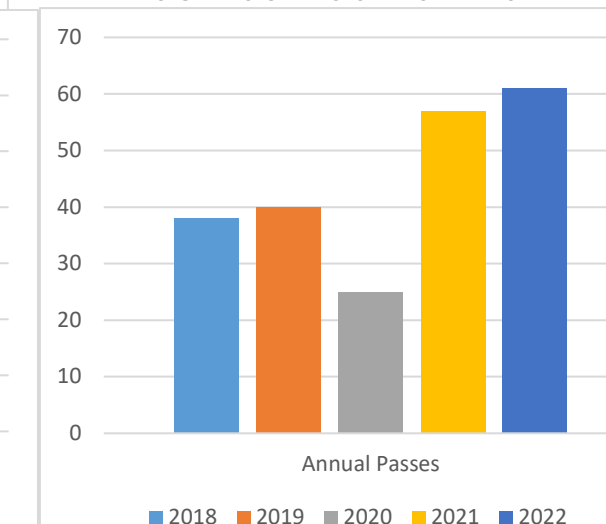
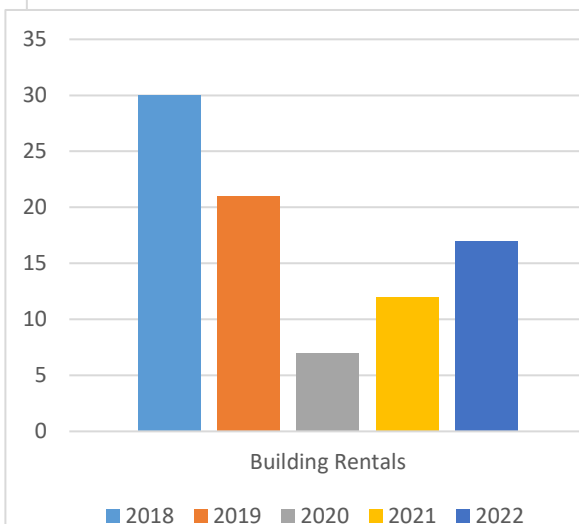
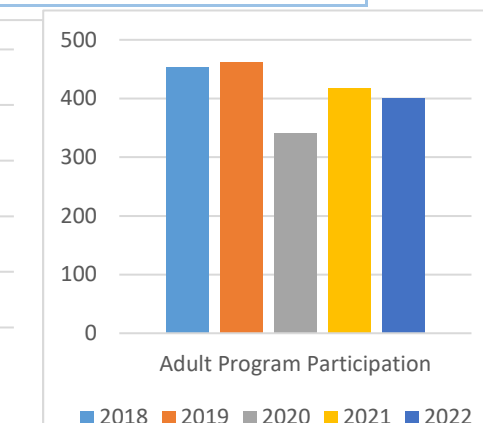
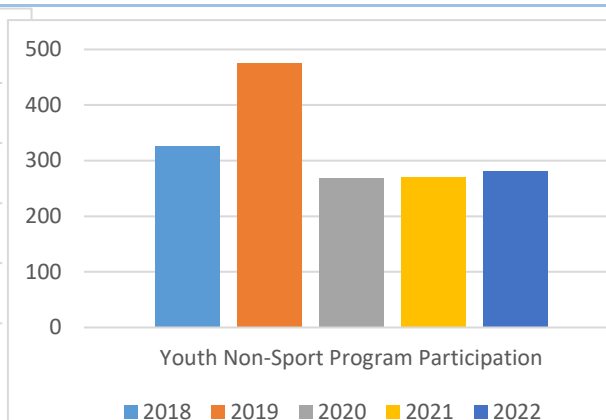
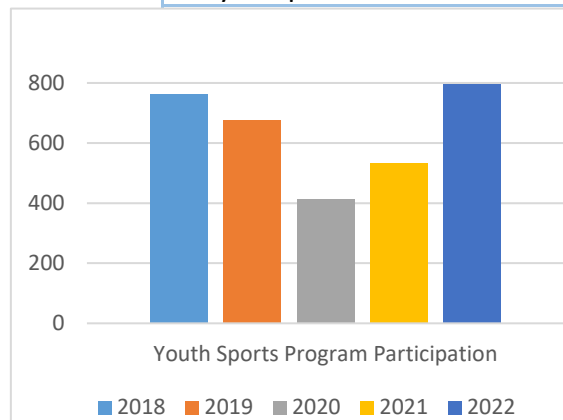
Bel Aire Recreation

Recreation Revenue	2018	2019	2020	2021	2022
Recreation Program Fees	\$47,930.60	\$45,933.03	\$16,381.60	\$37,568.00	\$73,831.75
Recreation Pass Fees	\$ 3,566.35	\$6,168.00	\$4,675.00	\$6,892.00	\$7,070.00
Recreation Facility Rental	\$ 8,099.00	\$6,863.00	\$824.00	\$1,466.00	\$2,002.00
*Misc. Fees	2,437.36	4,159.51	\$2,584.80	\$3,803.00	\$3,883.00
Total Revenue:	\$62,033.31	\$63,123.54	\$24,465.40	\$49,729.00	\$86,786.00

*Concessions, Donations, Events



<u>Recreation Participation</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Youth Sports Program Participation	762	676	413	532	795
Youth Non-Sport Program Participation	327	475	269	270	282
Adult Program Participation	454	461	341	418	401
Building Rentals	30	21	7	12	17
Annual Passes	38	40	25	57	61
Daily Drop-In	7769	7976	4578	5994	6109



Youth Sports Programs		Drop-In Daily Usage	
Basketball~		Walking/Jogging	
Baseball*~		Basketball	
Blastball*		Weight Lifting	
Camps/Clinics*~		Fitness Equipment	
Flag Football*		Pickleball	
Soccer~			
Softball*~			
Volleyball*~			
Youth Non-Sports Programs		Activities Not Tracked	
Bel of the Ball*		Special Events*~	
Cheer*~		Spectators	
Dance*~		Outdoor Drop - In Usage	
Fishing Clinic		Ball Fields, Walking Trail, Playground	
Tumbling*~			
Taekwondo			
Day Camp*~			
Spring Break Camp~			
Girls On The Run*			
Adult Programs			
Active Aging*~			
Chair Exercise*~			
Parent/Child Programs - Short Sports, Bel of the Ball, Holiday Hoops*~			
Senior Aerobics*~			
Taekwondo			
Yoga			
Youth Sports Coaches			

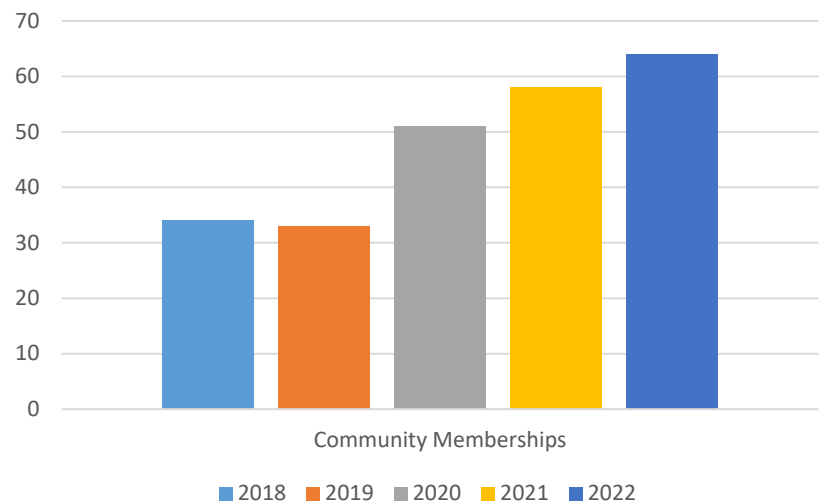
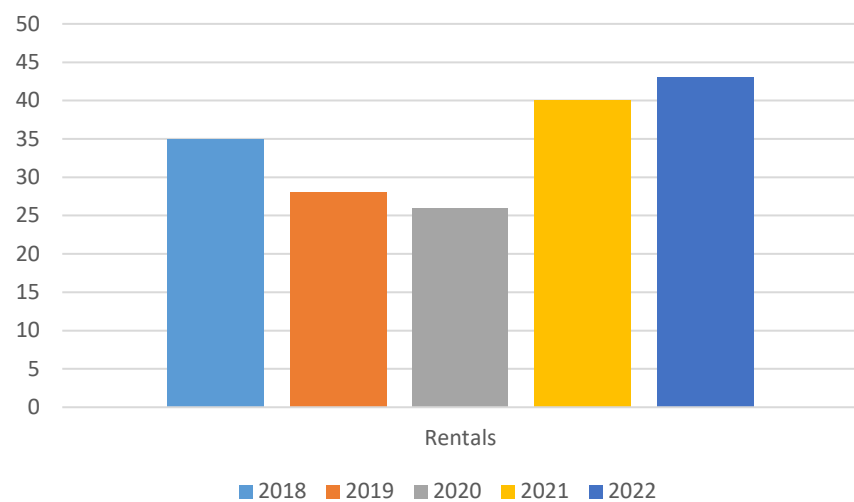
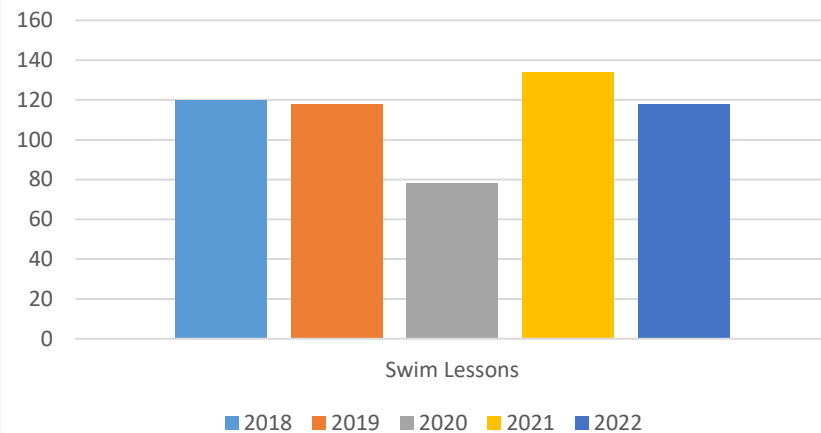
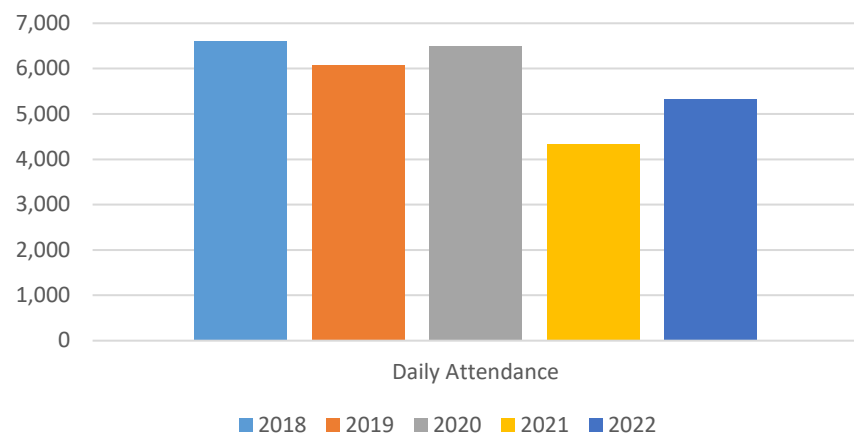
* Cancelled In 2020

~Cancelled or reformatted in 2021

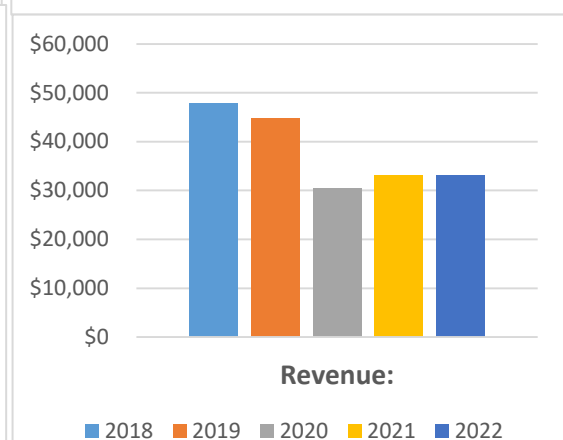
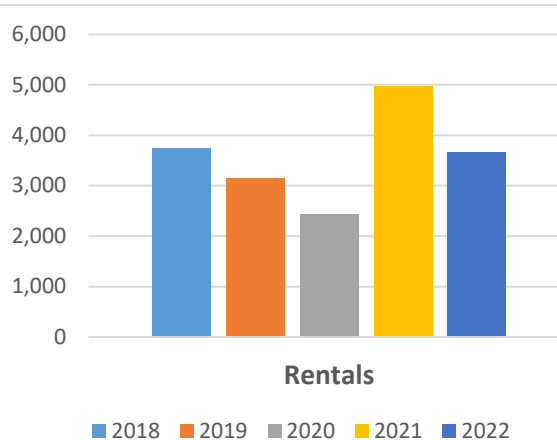
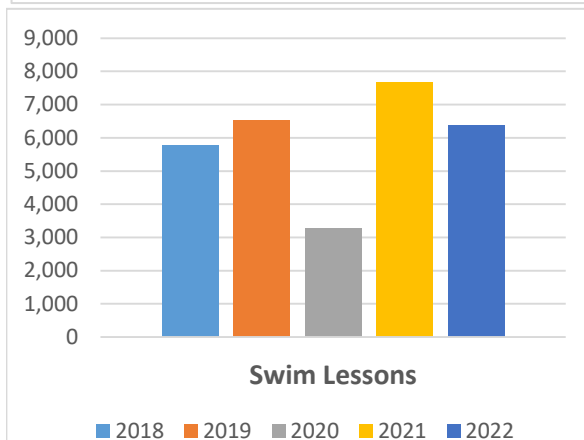
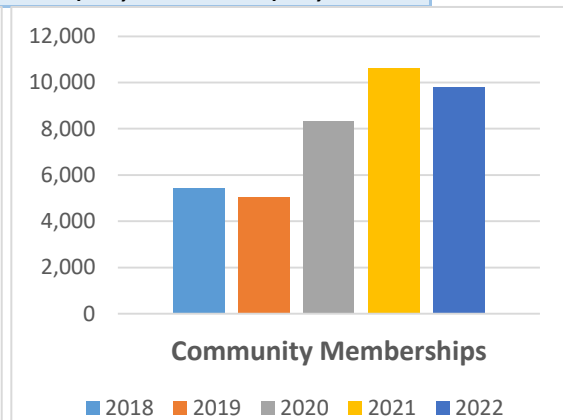
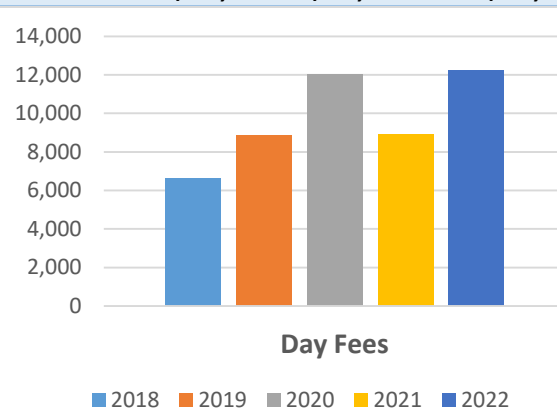
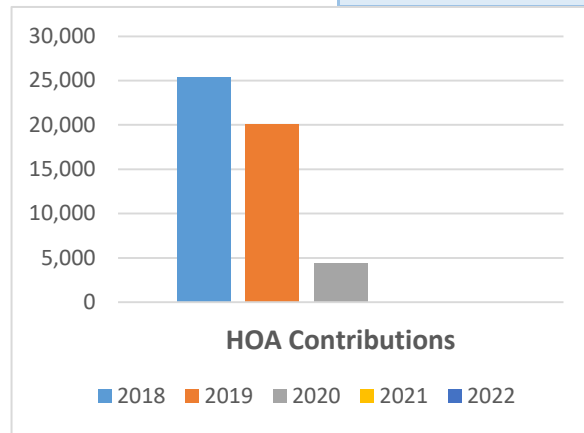
Rec Center closed 3/18 - 6/1, 2020

Central Park Swimming Pool

Pool Participation	2018	2019	2020	2021	2022
Daily Attendance	6,595	6,076	6,488	4,346	5,326
Swim Lessons	120	118	78	134	118
Rentals	35	28	26	40	43
Community Memberships	34	33	51	58	64



Pool Revenue:	2018	2019	2020	2021	2022
HOA Contributions	25,410	20,130	4,420	0	0
Day Fees	6,635	8,882.50	11,997.00	8,899.00	12,214.00
Community Memberships	5,440	5,035	8,306	10,623	9,786
Swim Lessons	5,770	6,510	3,260	7,680	6,370
Rentals	3,742	3,134	2,440	4,970	3,655
Concessions	917	1,039	0	857	1,106
Revenue:	\$47,914	\$44,730.50	\$30,423.00	\$33,029.00	\$33,131.30



Event Statistics from 01/01/2022 to 12/31/2022**Filters:**

Age: >=0
Site(s): Bel Aire Senior Center

Category	Duplicated	Unduplicated	Hours
Baseline	6302	221	11557.5
Education	631	121	754.08
Special Events	253	77	321
Total Event Signins	7186	268	12632.58

Event Statistics from 01/01/2022 to 12/31/2022**Filters:**

Age: >=0
Site(s): Bel Aire Senior Center

Baseline

Event Name	Duplicated	Unduplicated	Hours
Barn Quilt Painting	10	6	30
Book Club	88	10	88
Bridge	541	20	1623
Bunko	64	17	128
Covered Dish Dinner	98	35	98
Folk Dance	219	8	219
Jam Session	21	8	63
Library Work Group	70	10	70
Line Dance	803	45	803
Pickleball	2411	65	6027.5
Senior Aerobics	313	14	313
Senior Walking	1463	31	1463
Sequence	16	5	24
Sew N So More	141	7	564
Snack & Chat	44	22	44
Total Event Signins	6302	221	11557.5

Event Statistics from 01/01/2022 to 12/31/2022**Filters:**

Age: >=0
Site(s): Bel Aire Senior Center

Education

Event Name	Duplicated	Unduplicated	Hours
------------	------------	--------------	-------

Armchair Travel	2	2	2
Blood Pressure Checks	133	30	133
Botanica Trip (Guided Tour)	6	6	18
Chinese New Year	3	3	3
Diabetes Presentation CAAA	6	6	6
Dynamic Living (Fall Prevention)	3	1	3
Introduction to Mindfulness	4	4	4
Introduction to Watercolor Class	6	6	6
Making No-Bake Pumpkin Pie in a Cup	5	5	5
Medicare Enrollment Assistance	22	22	99
Name that President	2	2	2
Orin Friesen: History of Country Music	21	21	31.5
Rabbit Computers: Tech Presentation	3	3	3
Sewing Museum Trip	12	12	24
Speaker/Animal Visit: Great Plains Nature Center	2	2	2
Speaker: Beauties & Beasts Animal Rescue	2	2	2
Speaker: Bel Aire Home Planning & Code Resources	25	25	12.5
Speaker: Dr Visit Strategies for Pt & Caregivers	2	2	2
Speaker: Fraud & Scams	27	27	27
Speaker: Gary Breault DVM	17	17	17
Speaker: His Helping Hands	9	9	9
Speaker: Kansas Honor Flight	3	3	3
Speaker: Laura Knight Summer Flowers	21	21	21
Speaker: Medication Management	8	8	8
Speaker: Passageways-Hope for Military Veterans	7	7	7
Speaker: PRO Kansas Recycling	10	10	13.33
Speaker: Professional Organizer Rachel Murphy	14	14	14
Speaker: Wichita Childrens Home	8	8	8
Speaker: Wichita Family Crisis Center	5	5	5
Speaker: Wichita Genealogical Society	7	7	7
Speaker: YMCA Nutritionist	12	12	12
Tai Chi for Arthritis	94	10	94
Tai Chi for Beginners	117	11	117
Trip to Meadowlark Farm	8	8	28
Trip to See Local Fossil Collection	3	3	3.75
Where in the World?	1	1	1
World Poetry Day	1	1	1
Total Event Signins	631	121	754.08

Event Statistics from 01/01/2022 to 12/31/2022

Filters:

Age: >=0
 Site(s): Bel Aire Senior Center

Special Events

Event Name	Duplicated	Unduplicated	Hours
------------	------------	--------------	-------

Afternoon Tea	2	2	2
Cards of Kindness	1	1	1
Cookie Decorating Class	5	5	5
Crafting Coasters	4	4	4
Crafting Holiday Cards	6	6	6
Crafting Holiday Ornaments	14	11	14
Decoupage Easter Basket Craft	9	9	9
Dinner & Singo!	12	12	18
DIY: Flower Seed Bombs	3	3	3
Flu Shot Clinic	11	11	11
Geometric Painting Class	6	6	6
Holiday Cookie Party	12	12	12
Holiday Dinner & Singo!	27	27	54
Ice Cream Social	16	16	16
International Cat Day Activity	3	3	3
Jack-O-Lantern Cards	7	7	7
Line Dance & Holiday Party	11	11	22
Magnet Making Workshop	2	2	2
Mah Jongg Presentation	8	8	12
Making Homemade Heating Pads	3	3	3
Mexican Train Dominos	1	1	1.5
Minute to Win It Fitness	1	1	1
Music Theater of Wichita Trip	4	4	13
Mystery Craft	3	3	3
Painting Pumpkins	8	8	8
Recipe Swap	2	2	2
Rock Painting	5	5	5
Scary Larry Scarecrows	3	3	3
Scrapbook Class	2	2	2
Senior Cookout	25	25	25
Senior Lunch	21	21	31.5
Share & Tell	2	2	2
Singo!	9	9	9
World Chocolate Day Activity	5	5	5
Total Event Signins	253	77	321

		Total
County Required		
Required	Baseline	7
	Special Events	10
	Educational	35
	Participants	101
2018		
	Baseline	19

Special Events	14
Educational	35
Participants	173

2019

Baseline	15
Special Events	11
Educational	35
Participants	179

2020*

Baseline	17
Special Events	18
Educational	14
Participants	158

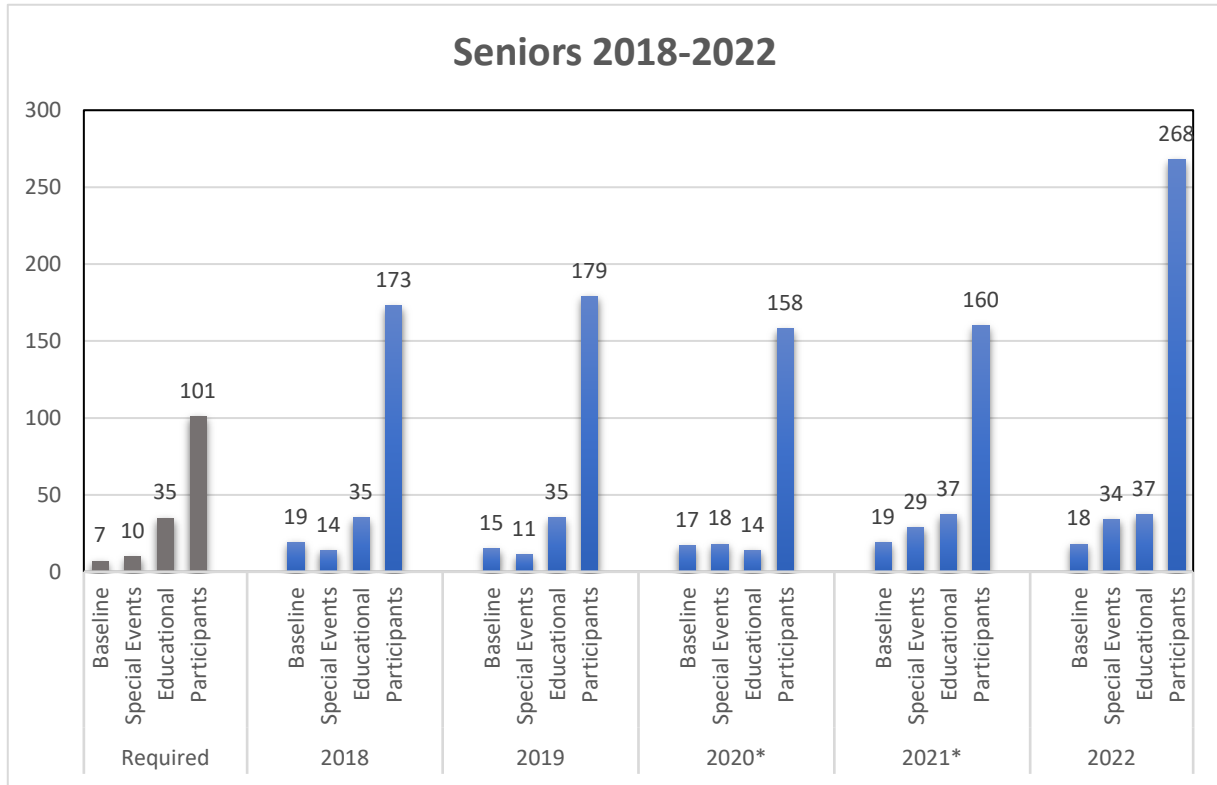
2021*

Baseline	19
Special Events	29
Educational	37
Participants	160

2022

Baseline	18
Special Events	34
Educational	37
Participants	268

*COVID years county did not enforce requirements



*COVID years county did not enforce requirements

STAFF REPORT

DATE: January 25, 2023
TO: Ty Lasher, City Manager & Bel Aire Governing Body
FROM: Brian Hayes, Recreation Director
RE: December Activities

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- This year's Holiday Celebration was held on December 3rd. Hundreds came out to visit with Santa, decorate cookies, and enjoy some treats & the light show. Thanks to the Chamber of Commerce, Lions Club and all the sponsors for making this year's event a success. Earlier in the day several families also stopped by the Rec Center for the annual Holiday Hoops Free Throw Contest. Holiday Hams were awarded to the winning families.

2022 Attachments

- *Recreation/Pool Participation & Revenue*
- *Community Events Summary*
- *Senior Participation*

MANAGERS REPORT

DATE: February 2, 2023
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: February 7, 2023 Agenda



Consent Agenda (Item VI)

The consent agenda contains the minutes of the regular City Council Meeting on January 17th and the special City Council Meeting on January 30th.

Appropriations Ordinance (Item VII)

This reporting period includes one payroll period. The city paid annual Work Comp to KMIT in the amount of \$55,419 which is spread across funds based on the number of employees in each department. This report also shows December P-Card purchases for end of year expenses.

City Requested Appearances (VIII):

County Commissioner Pete Meitzner would like to have more dialogue with Bel Aire whom he represents. His plan is to attend a few meetings throughout the year and update Council on what is happening with Sedgwick County as well as answer any questions.

Reappointments of Yops and McCombs to the Tree Board (Item A)

Both Hildegard “Hilde” Yops and Sylvia McCombs have served on the Tree Board for several years. Tree Board members volunteer their time to educate citizens about proper tree planting and care. Their work has contributed to the City’s designation as a “Tree City USA” by the Arbor Day Foundation for several years now. Mayor Benage has asked Sylvia and Hilde if they would like to be reappointed and they both said yes. If confirmed, their new terms will last for two years.

Appointment to the Sedgwick County Fire District #1 Steering Council (Item B)

The Sedgwick County Commission, acting as the Sedgwick County Fire District Board (SCFD), created a SCFD #1 Steering Council. The Council shall act in an advisory capacity to the SCFD Board as outlined in Resolution #913-2022. The composition shall consist of 9 members: One representative from the cities of Goddard, Maize, Bel Aire, Park City and Haysville respectively. Additionally, four members shall be at-large from within the SCFD. The term shall be four years with a maximum of two terms. The

commissioners would like to appoint members by the end of March. This topic was discussed at the January 10th workshop and Mayor Benage asked for a volunteer from city staff, chamber of commerce and others. No one expressed interest so he is volunteering for this committee.

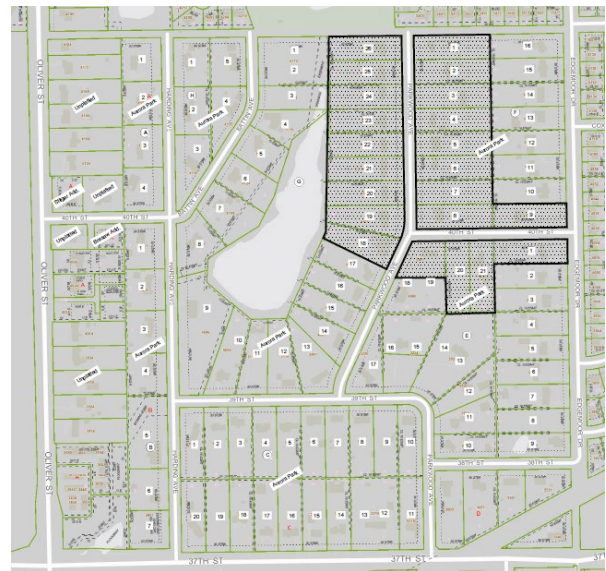
Paving Petition for Cozy Drive (Item C)

The City of Bel Aire engaged Garver Engineering to determine the best solution to upgrade the gravel road and remedy several drainage issues on Cozy. A letter and petition were sent to each property owner in the benefit district at the end of last year that detailed the work to be done, engineers estimate and how special assessments work. The city received the required number of returned petitions for the project to move forward. The city pledged \$100,000 towards the project reducing the cost of special assessments to roughly \$160 per month per lot. Kevin Cowan from Gilmore & Bell will be at the meeting to explain the petitions, required signatures and action being considered.



Paving Petition for North Parkwood and 40th Street in Aurora Park (Item D)

The City of Bel Aire engaged Garver Engineering to determine the best solution to upgrade the gravel roads and remedy several drainage issues in Aurora Park. A letter and petition were sent to each property owner in the benefit district last year that detailed the work to be done, engineers estimate and how special assessments work. The city did not receive the required number of returned petitions for the project to move forward so the project ended. In December of 2022, several neighbors asked if a portion of the roads in Aurora Park could create a benefit district and still have the improvements. Garver stated this could occur and created a new district with petitions. Those petitions were circulated by homeowners. The city pledged \$96,000 towards the project reducing the cost of special assessments to roughly \$160 per month per lot. Kevin Cowan from Gilmore & Bell will be at the meeting to explain the petitions, required signatures and action being considered.



Resolution for Paving Improvements, Cozy Drive (Item E)

Once petitions are accepted for public improvements, resolutions are required to authorize the work and allow for financing. This resolution approves paving and drainage improvements on Cozy Drive. The cost of these improvements will ultimately be bonded and spread as special assessments against the benefitting lots. Kevin Cowan will be at the meeting to answer any questions.

Resolution for Paving Improvements, North Parkwood and 40th Street (Item F)

Once petitions are accepted for public improvements, resolutions are required to authorize the work and allow for financing. This resolution approves paving and drainage improvements on north Parkwood and 40th street. The cost of these improvements will ultimately be bonded and spread as special assessments against the benefitting lots. Kevin Cowan will be at the meeting to answer any questions.

Letter of Intent to Issue IRB's for Spec Facilities, Bayside Development, LLC (Item G)

Bayside Development is looking to develop 120 acres into a warehouse park containing 10 warehouses ranging in size from 80,000 to 230,000 square feet. The exact location is on the north side of 53rd, right next to Epic Sports, and about halfway between Webb and Greenwich. Based on the value of the buildings, number of employees and IRB policy, staff has determined a 100% property tax exemption for 10 years could be warranted.

A cost benefit analysis was completed by Wichita State University and required by the State of Kansas before any tax abatements can be issued. We focus on pages 4 -7 to see the ratio of benefit for each taxing entity. You will see Bel Aire is at 1.04, Sedgwick County is 1.2, State of Kansas is 6.3 and USD 375 is 151. Our goal is to be above 1 meaning for every dollar in lost taxes we receive a dollar in benefit. In this case, every entity receives more than a dollar in return for each dollar given up. The Developer will be at the meeting to explain the project. Kevin Cowan and staff will be available for questions.



Ordinance for a Conditional Use Accessory Apartment (Item H)

At their January meeting, the Planning Commission considered an application to allow for an Accessory Apartment to be placed at 4046 N Harding Ave in Aurora Park. At the hearing, the applicant stated that he wishes to rebuild a garage in the same location as one that burned down, and he would like to add living quarters for guests and/or aging parents. After hearing from the applicant, several citizens requested a chance to speak both in favor and against the application. After closing the hearing, the Planning Commission discussed the conditional use request, the definition of an “Accessory Apartment” in the Zoning Code, the size of the proposed structure in relation to the density regulations for the R-1 lot, and the concerns of those who spoke. After review, the Planning Commission voted (by passing a 6-0 motion) to



recommend allowing the accessory apartment in an R-1 district for use exclusively by the owner of 4046 Harding Ave or guests as presented without conditions. The Ordinance to approve the conditional use now comes before Council for consideration.

Quote for Sidewalk Installment Project at Isely School on Woodlawn (Item I)

Woodlawn is an arterial street and as such sidewalks are often installed by the city unless a large landowner has agreed to pay for installation. The current sidewalk runs from 37th (once Woodlawn from 37th to 45th is complete) to 53rd street. The section from Central Park Avenue to Isely was never constructed. Council determined this to be #10 on the capital improvement projects list. Funding is available in the 2023 CIP budget to cover this cost. Three bids were received with Opp Concrete being the low bid at \$25,700. Staff recommends accepting the low bid and authorizing the work.

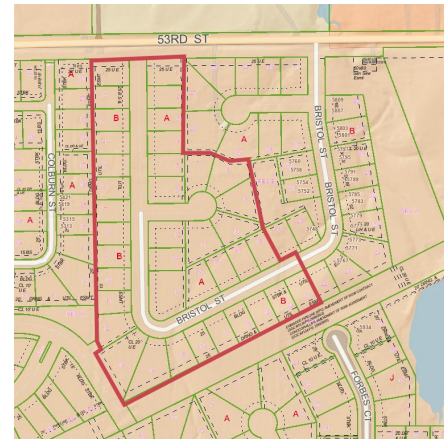


Ordinance Adopting 2023 City Code (Item J)

As ordinances are approved throughout the year, the city's code book also needs updated. The ordinance on the agenda codifies, or updates, all the changes completed in 2022. Codification is typically done annually to bring City Codes in line with changes that may have occurred locally or at the state level which impact city codes. Ranson Citycode was hired to complete the codification project and will be at the meeting to answer questions.

Bid for Bristol Hollows Phase 2 Paving Improvements (Item K)

The Developer of Bristol Hollows is ready to begin Phase 2 construction of paving improvements. The cost of the improvements for this project will be financed through a bond and spread as special assessments against the benefiting lots. Four contractors submitted bids, with Kansas Paving being the lowest bidder. Staff recommends Council accept the bid from Kansas Paving in the amount of \$515,245.10. Anne Stephens, City Engineer, will be at the meeting to discuss the project and answer question.



Appoint Delegates to Kansas Rural Water Association annual meeting (Item L)

The City is a member of the Kansas Rural Water Association and has taken advantage of many services they offer such as GIS mapping assistance, map printing services, water meter testing, training events, etc. Their annual meeting will be held on Thursday, March 30th at 8:00 am during their annual conference March 28 – 30th at the Century II Convention Center in Wichita. Anne Stephens, City Engineer and Jon Stehman, Water Operator are currently registered to attend this conference. As a member, Bel Aire receives one vote at their annual business meeting. It is suggested that Council nominate Anne Stephens as Delegate, and Jon Stehman as Alternate Delegate unless any Council Members are interested in attending the conference.

Bel Aire Land Bank 2022 Ending Sales and Financial Report (Item M)

The Land Bank Ordinance requires an annual inventory be taken as well as sales, revenues and expenses be reported. Included in your packet is a report detailing revenues and expenditures for 2022 by the Land Bank. Action is to simply receive and file.

City Attorney Resignation (Item N)

Jaci has accepted the position of City Attorney for the City of Derby. She submitted her letter of resignation to Mayor Benage on February 3, 2023 with her last day being March 9, 2023. City policies required a letter of resignation be submitted and accepted.

Executive Session (Item XII)

Staff is requesting two separate executive sessions with details included in the motions.

Discussion And Future Issues (Item XIII)

The next regularly scheduled workshop is on February 14th at 6:30 pm. That is Valentine's Day, so will that day still work or should it be moved?