

**MEETING NOTICE
MAIZE CITY COUNCIL
REGULAR MEETING
PUBLIC BUILDING COMMISSION MEETING**

TIME: 7:00 P.M.
DATE: MONDAY, March 21, 2016
PLACE: MAIZE CITY HALL
10100 W. GRADY AVENUE

AGENDA

MAYOR CLAIR DONNELLY PRESIDING

- 1) Call to Order
- 2) Roll Call
- 3) Pledge of Allegiance/Moment of Silence
- 4) Approval of Agenda
- 5) Public Comments
- 6) Consent Agenda
 - a) Approval of Minutes –City Council Regular Meeting of February 15, 2016 and Special Meeting of February 24, 2016.
 - b) Receive and file minutes from the Planning Commission of January 7, 2016.
 - c) Cash Disbursements from February 1, 2016 thru February 29, 2016 in the amount of \$608,513.37 (Check #61903 thru #62045)
 - d) Biennial Bridge Inspection Report 2016
- 7) Old Business

None
- 8) New Business
 - A. Weninger Maize Commercial Addition Plat
 - B. Fire Code Ordinance and Intergovernmental Service Agreement
 - C. Account Recovery Specialist Inc. Collection Services Agreement
 - D. WDM Architects Agreement (City Park Restrooms)
 - E. Resolution Requesting Refunding of PBC Revenue Bonds, Series A, 2011

* Recess City Council Meeting and Convene Maize Public Building Commission Meeting:

**MAIZE PUBLIC BUILDING COMMISSION
AGENDA
PRESIDENT CLAIR DONNELLY PRESIDING**

- 1) Call to Order
- 2) Roll Call
- 3) Approval of the Agenda
- 4) Approval of Minutes – Meeting of September 21, 2015.
- 5) New Business
 - A. Sale resolution authorizing the sale of the 2016A Bonds (in order to refund the 2011 Bonds.)
- 6) Adjournment

** Reconvene the City Council Meeting*

**MAIZE CITY COUNCIL
REGULAR MEETING
AGENDA
(continued)**

- 9) Reports
 - Police
 - Public Works
 - City Engineer
 - Planning & Zoning
 - City Clerk
 - Legal
 - Operations
 - Mayor's Report
 - Council Member's Reports
- 10) Executive Session
- 11) Adjournment

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, February 15, 2016**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **February 15, 2016** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Council members present were **Pat Stivers**, **Karen Fitzmier**, **Donna Clasen**, and **Kevin Reid**. **Alex McCreath** was absent.

Also present were: **Richard LaMunyon**, City Administrator, **Rebecca Bouska**, Deputy City Administrator, **Jocelyn Reid**, City Clerk, **Matt Jensby**, Police Chief, **Ron Smothers**, Public Works Director, **Bill McKinley**, City Engineer and **Kim Edgington**, Planning Administrator.

APPROVAL OF AGENDA:

The Agenda was submitted for approval.

MOTION: **Clasen** moved to approve the Agenda as amended.
Stivers seconded. Motion declared carried.

CONSENT AGENDA:

The Consent Agenda was submitted for approval including:

- a) Approval of minutes – Regular Council Meeting of January 18, 2016.
- b) Receive and file minutes of the Park & Tree Board meeting of January 12, 2016.
- c) Cash Disbursements from January 1, 2016 through January 31, 2016 in the amount of \$756,921.59 (Check #61674 through #61902).

MOTION: **Clasen** moved to approve the Consent Agenda with the following corrections/changes:
1. Correct the date of the Park & Tree Board minutes to November 10, 2015
2. Add the dates of Marine Fulton's term on the Park and Tree Board to the minutes.
Stivers seconded. Motion declared carried.

WALKER, LANE & REED AGREEMENT:

An agreement with Walker, Lane and Reed allowing the use of the City Hall retention pond for drainage was submitted for Council approval. In exchange for the use of the retention pond, Walker, Lane & Reed will pay the City \$43,225.

MOTION: **Fitzmier** moved to approve the Walker, Lane & Reed agreement and authorize the Mayor to sign, subject to final form as approved by the City Attorney.
Reid seconded. Motion declared carried.

ZONING CASE #Z-04-015 AND CUP 01-015:

A request for a zone change from SF-5 Single Family Residential to Limited Commercial with a Community Unit Plan (CUP) for property located on the south side of 53rd Street ¼ mile east of K-96 was submitted for Council approval.

MOTION: **Stivers** moved to approve and adopt the ordinance for a zone change and CUP-01-015 within Maize city limits.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Ordinance #910.

CITY ELECTION ORDINANCES:

To comply with new State law, a charter ordinance changing City election dates to the fall of odd numbered years and changing terms of office was submitted for Council approval.

MOTION: *Clasen* moved to adopt the charter ordinance changing election dates and terms of office.
Reid seconded. Motion declared carried.

City Clerk assigned Charter Ordinance #28-16.

An ordinance repealing Section 6-103 of the City Code was also submitted for Council approval.

MOTION: *Clasen* moved to adopt the ordinance repealing Section 6-103 of the City of Maize Code.
Fitzmier seconded. Motion declared carried.

City Clerk assigned Ordinance #911.

EXECUTIVE SESSION:

Mayor Donnelly requested a 10-minute executive session to discuss non-elected personnel.

MOTION: *Clasen* moved to enter executive session at 7:55 for 10 minutes to discuss non-elected Personnel.
Fitzmier seconded. Motion declared carried.

The Council entered executive session at 7:55 pm and reconvened at 8:05 pm. No action was taken.

ADJOURNMENT:

With no further business before the Council,

MOTION: *Clasen* moved to adjourn.
Fitzmier seconded. Motion declared carried.
Meeting adjourned.

Respectfully submitted by:

Jocelyn Reid, City Clerk

**MINUTES-SPECIAL MEETING
MAIZE CITY COUNCIL
Wednesday, February 24, 2016**

The Maize City Council met in a special meeting at 11:00 a.m., **Wednesday, February 24, 2016** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Councilmembers present were **Donna Clasen, Karen Fitzmier and Alex McCreath**. **Pat Stivers** and **Kevin Reid** were absent.

Also present were: **Richard LaMunyon**, City Administrator; **Rebecca Bouska**, Deputy City Administrator; **Jocelyn Reid** City Clerk, **Sue Villarreal**, City Treasurer; **Kim Edgington**, Planning Administrator and **Jolene Graham**, Executive Assistant.

APPROVAL OF AGENDA:

The agenda was submitted for Council approval.

MOTION: **Clasen** moved to approve the agenda as submitted.
McCreath seconded. Motion declared carried.

ONE STEP FINAL PLAT FOR WATERCRESS VILLAS ADDITION:

A one-step final plat for Watercress Villas Addition was submitted for Council approval.

MOTION: **Clasen** moved to accept the Watercress Villas Addition final plat, with plat to be filed with the Sedgwick County Register of Deeds.
McCreath seconded. Motion declared carried.

2016 ADDENDUM FOR CITY ADMINISTRATOR'S AGREEMENT:

The 2016 addendum to the City Administrator's agreement was submitted for Council approval. The addendum increases the administrator's annual salary to \$85,000 and includes a severance package equal to 90 days paid salary.

MOTION: **Fitzmier** moved to approve the 2016 Addendum for the City Administrator's agreement.
McCreath seconded. Motion declared carried.

ADJOURNMENT:

With no further business before the Council,

MOTION: **Clasen** moved to adjourn.
Fitzmier seconded. Motion declared carried.
Meeting adjourned.

Respectfully submitted by:

Jocelyn Reid, City Clerk

**MINUTES-REGULAR MEETING
MAIZE CITY PLANNING COMMISSION AND
BOARD OF ZONING APPEALS
THURSDAY, JANUARY 7, 2016**

The Maize City Planning Commission was called to order at 7:00 p.m., on Thursday, January 7, 2016, for a Regular Meeting with **Gary Kirk** presiding. The following Planning Commission members were present: **Mike Burks, Andy Sciolaro, Gary Kirk, Dennis Downes, Jennifer Herington** and **Bryan Aubuchon**. Not present was **Bryant Wilks**. Also present were **Sue Villarreal**, Recording Secretary; **Kim Edgington**, Planning Administrator; **Richard LaMunyon**, City Administrator; **Bill McKinley**, City Engineer and **Tim Austin**, Kaw Valley Engineering.

APPROVAL OF AGENDA

MOTION: **Herington** moved to approve the agenda as presented.
Burks seconded the motion.
Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: **Sciolaro** moved to approve the December 3, 2015 minutes with a spelling correction.
Downes seconded the motion.
Motion carried unanimously.

NEW BUSINESS – PLANNING COMMISSION

S/D 03-015 – One-step final plat for Watercress Villas Addition – approximately 23.5 acres on the east side of Maize Road north of Ranch Road.

Austin was present to answer questions from the commissioners. Drainage will be directed partially to Maize Road, partially to the city detention pond and to a new detention pond at the northeast corner of the plat. Access point for apartments will be Reed Avenue as well an emergency access located at the west end of the south Village Place street. Commercial frontage will have 2 access points onto Maize Road.

MOTION: **Burks** moved to approve the one-step final plat for Watercress Villas Addition – approximately 23.5 acres on the east side of Maize Road north of Ranch Road subject to approval of the drainage plan by the City Engineer and subject to the following conditions and modifications set forth in the staff report.

- A. Planning Commission Chairman and Secretary shall be changed to current members.
- B. City water and sewer services are currently available to serve the site.
- C. Access control except for two openings shall extend along the entire frontage of the property on Maize Road.
- D. Minimum pad elevations shall be listed on the plat or on the approved final drainage plan.
- E. If improvements are guaranteed by petition, a notarized certificate listing the petitions, with cost estimates shall be submitted to the City of Maize for recording.
- F. **City Engineering** needs to comment on the status of the applicant's final drainage plan. .
- G. This property is in Area C on the FEMA flood map, not in the floodplain.
- H. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- I. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable (water service and fire hydrants required for fire protection shall be as per the direction and approval of the Chief of the Sedgwick County Fire Department.)
- J. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- K. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- L. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Maize, erosion and sediment control devices must be used on ALL projects.
- M. Perimeter closure computations shall be submitted with the final plat tracing.
- N. Recording of the plat within thirty (30) days after approval by the City Council.
- O. The applicant is reminded that a compact disk (CD) shall be submitted with the final plat tracing to the City of Maize detailing this plat in digital format in AutoCAD, or sent via e-mail to dlemon@cityofmaize.org. This will be used by the County GIS Department.

Downes seconded the motion.

Kirk requested a roll call vote to approve S/D 03-015 as presented with the following results:

Burks – yes

Sciolaro - yes

Kirk – yes

Downes - yes

Aubuchon- yes

Herington – yes

Motion carried unanimously.

Z-04-015 – Zone change request for approximately 12.7 acres on the south side of 53rd Street between K-96 Highway and Tyler Road, Maize, KS from SF-5 Single-Family Residential zoning district to LC Limited Commercial zoning district, with a Conditional Use for self-storage warehouse.

Edgington explained to commissioners that the applicant would like to change the Conditional Use request to a Community Unit Plan. This would allow them to operate without an onsite manager.

Austin stated that the surface would be rock.

McKinley recommends that the access point be paved the entire distance of 400 feet.

MOTION: *Sciolaro* moved to approve Z-04-015 zone change request for approximately 12.7 acres on the south side of 53rd Street between K-96 Highway and Tyler Road, Maize, KS from SF-5 Single-Family Residential zoning district to LC Limited Commercial zoning district, with a Community Unit Plan for self-storage warehouse subject to the conditions and modifications set forth in the staff report and subject to provisions of Community Unit Plan prepared by agents applicant.

Herington seconded the motion.

Motion carried unanimously.

ADJOURNMENT:

MOTION: With no further business before the Planning Commission, *Burks* moved to adjourn.

Aubuchon seconded the motion.

Motion carried unanimously.

Meeting adjourned at 7:45 PM.

Sue Villarreal
Recording Secretary

Gary Kirk
Chairman

CITY OF MAIZE
Cash and Budget Position
Thru February 29, 2016

FUND	NAME	BEGINNING	MONTH	MONTH	END MONTH	ANNUAL	YTD	YTD	REMAINING	REMAINING
		CASH BALANCE	RECEIPTS	DISBURSEMENTS	CASH BALANCE	EXPENSE BUDGET	REVENUE	EXPENSE	EXPENSE BUDGET	BUDGET PERCENTAGE
01	General Fund	\$ 1,072,788.55	\$ 95,760.18	\$ 237,369.97	\$ 931,178.76	\$ 3,369,786.00	\$ 1,128,665.53	\$ 586,676.86	\$ 2,783,109.14	82.59%
02	Street Fund	157,122.34	12,500.00	21,098.13	148,524.21	294,100.00	51,782.16	54,247.66	239,852.34	81.55%
04	Capital Improvements Fund	294,999.48	40,973.80	13,065.39	322,907.89	665,000.00	106,831.65	136,375.04	528,624.96	79.49%
05	Long-Term Projects	(329,312.46)	-	132,711.07	(462,023.53)	-	-	180,998.19		
10	Equipment Reserve	79,283.49	19,193.47	37,900.00	60,576.96	230,000.00	55,976.84	109,962.99	120,037.01	52.19%
11	Police Training Fund	746.99	288.00	295.00	739.99	2,000.00	456.00	985.00	1,015.00	50.75%
12	Municipal Court Fund	14,170.41	2,570.00	450.00	16,290.41	-	3,140.00	4,008.68		
16	Bond & Interest Fund	901,974.15	53,646.37	165,194.57	790,425.95	2,552,350.00	838,056.86	275,325.82	2,277,024.18	89.21%
19	Wastewater Reserve Fund	136,385.94	3,000.00	-	139,385.94	-	6,000.00	-		
20	Wastewater Treatment Fund	590,498.70	70,091.91	61,608.09	598,982.52	714,000.00	133,471.42	133,037.33	580,962.67	81.37%
21	Water Fund	426,611.92	63,336.44	58,732.29	431,216.07	769,500.00	126,409.19	128,720.46	640,779.54	83.27%
22	Water Reserve Fund	116,148.81	3,000.00	-	119,148.81	-	6,000.00	-	-	
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00	-	-	-		
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09	-	-	-		
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57	-	-	-		
38	Cafeteria Plan	6,100.56	1,786.44	1,929.48	5,957.52	-	3,126.27	2,448.46		
98	Maize Cemetery	164,116.08	3,346.63	372.08	167,090.63	161,706.00	11,730.97	1,886.19	159,819.81	98.83%
Report Totals		\$ 4,049,839.62	\$ 369,493.24	\$ 730,726.07	\$ 3,688,606.79	\$ 8,758,442.00	\$ 2,471,646.89	\$ 1,614,672.68	\$ 7,331,224.65	83.70%

CITY OF MAIZE

Bank Reconciliation Report

For February 2016

Fund Balances

FUND	NAME	BEGIN PERIOD	RECEIPTS	DISBURSEMENTS	END PERIOD
01	General Fund	\$ 1,072,788.55	\$ 95,760.18	\$ 237,369.97	\$ 931,178.76
02	Street Fund	157,122.34	12,500.00	21,098.13	148,524.21
04	Capital Improvements Fund	294,999.48	40,973.80	13,065.39	322,907.89
05	Long-Term Projects	(329,912.46)	-	132,711.07	(462,623.53)
10	Equipment Reserve Fund	79,283.49	19,193.47	37,900.00	60,576.96
11	Police Training Fund	746.99	288.00	295.00	739.99
12	Municipal Court Fund	14,170.41	2,570.00	450.00	16,290.41
16	Bond & Interest Fund	901,974.15	53,646.37	165,194.57	790,425.95
19	Wastewater Reserve Fund	136,385.94	3,000.00	-	139,385.94
20	Wastewater Treatment Fund	590,498.70	70,091.91	61,608.09	598,982.52
21	Water Fund	426,611.92	63,336.44	58,732.29	431,216.07
22	Water Reserve Fund	116,148.81	3,000.00	-	119,148.81
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57
38	Cafeteria Plan	6,100.56	1,786.44	1,929.48	5,957.52
98	Maize Cemetery	164,116.08	3,346.63	372.08	167,090.63
Totals All Fund		\$ 4,049,239.62	\$ 369,493.24	\$ 730,726.07	\$ 3,688,006.79

Bank Accounts and Adjustments

Halstead Checking Account	\$ 265,957.77	\$ 653,278.94	\$ 570,808.23	\$ 348,428.48
Outstanding Items				\$ (226,881.03)
Halstead Bank Money Market Account	3,798,367.90	1,000.81	400,000.00	3,399,368.71
Maize Cemetery CD 85071	90,979.58	-	-	90,979.58
Maize Cemetery Operations	73,136.50	3,346.63	372.08	76,111.05
Totals All Banks	\$ 4,228,441.75	\$ 657,626.38	\$ 971,180.31	\$ 3,688,006.79



February 29, 2016

City of Maize
 10100 W Grady Avenue
 P.O. Box 245
 Maize, Kansas 67101

Attention: Bill McKinley, City Engineer

Reference: City of Maize 2016 Biennial Bridge Inspections
 PEC Project No. 32-160202-0022

Dear Mr. McKinley,

We have completed our inspections of the 3 bridges in the City of Maize. There are two structures that continue to warrant load postings. In addition, the structure at 61st St. over the Big Slough Tributary continues to be functionally obsolete, as it has been the last few inspection cycles. The following is a brief summary of the important findings.

CITY OF MAIZE 2016 BIENNIAL INSPECTION						
TRANSMITTAL TABLE						
Structure No.	Facility Carried	Feature Intersected	Location	Posting	Posting Signs	Functionally Obsolete / Structurally Deficient
002	000870809006069	Tyler Rd.	Big Slough	400' N of 45th St.	-	-
003	000870807606040	61st St.	Big Slough Tributary	0.33 Mi. W of Tyler Rd.	Posted	15-23-36
004	000870809006041	Tyler Rd.	Little Slough	600' S of 61st St.	Posted	14-20-23

Enclosed is a bridge inspection submittal sheet for the City of Maize 2016 biennial bridge inspections. Attached with this submittal sheet is a bridge location map, master list, maintenance list, other lists as required by the KDOT Local Routine Bridge Inspection Contract Scope of Services, KDOT's web portal data validation, sufficiency forms, and updated load ratings for the structures. Also included are the bridge inventory & assessments, the new inspection forms, the field inspection forms, and inspection photographs for each structure. Please combine these files with your previous inspection files which must be kept for KDOT BLP field reviews and used as a reference for future re-inspections.

If you have any questions or need additional information, please call.

Very truly yours,
 PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

C. William Pyles Jr., P.E.

C. William Pyles Jr., P.E.
 Bridge Design Engineer

Enclosed: As noted

CC w/o Encl.: Mr. Richard LaMunyon, City Administrator, City of Maize

**MAIZE CITY COUNCIL
SPECIAL MEETING
WEDNESDAY, MARCH 21, 2016**

AGENDA ITEM 8A

ITEM: One-step final plat of Weninger Maize Commercial Addition (S/D 02-015)

BACKGROUND: This is a one-step final plat for 12.4 acres on the south side of 53rd Street ¼ mile east of K-96 highway. This property was approved for a zone change to LC Limited Commercial with a Community Unit Plan in February 2016.

The two lots on the plat reflect the 2 areas of development that were approved by City Council. Lot 1 allows Limited Commercial uses subject to the provisions of CUP 01-016 and Lot 2 allows the same uses plus self-storage warehouse.

Planning Commission unanimously approved this project at their March 3, 2016 meeting. All conditions that were recommended by the Planning Commission have been satisfied. Attached you will find a copy of the staff report that was prepared for the Planning Commission. Also attached is a drawing of the proposed plat and an aerial map with Lot 1 shown in red and Lot 2 shown in green.

City Engineering has reviewed and approved the final drainage plan for the property.

FINANCIAL CONSIDERATIONS: The applicant indicates that all utilities will be privately funded therefore no petitions are required.

LEGAL CONSIDERATIONS: The final plat document will be reviewed and approved as to form by the City Attorney and the County Surveyor. All utilities have reviewed the plat and requested additions have been incorporated.

RECOMMENDATION/ACTION: Accept the Weninger Maize Commercial Addition final plat, with plat to be filed with the County Register of Deeds.

STAFF REPORT**CASE NUMBER:** S/D 01-016 One-step final plat Weninger Maize Commercial Addition**OWNER/APPLICANT:** Premier Storage Maize, LLC
5159 N 119th Street West
Maize, KS 67101**ENGINEER:** Tim Austin
Kaw Valley Engineering
200 N Emporia, Ste 10
Wichita, KS 67202**GENERAL LOCATION:** South side of 53rd Street, ¼ mile east of K-96**SITE SIZE:** 12.4 acres**NUMBER OF LOTS**

Residential:	
Office:	
Commercial:	2
Industrial:	
Institutional	—
Total:	2

CURRENT ZONING: “LC” Limited Commercial with CUP 01-015**Planning Staff recommends approval of the final plat.****STAFF COMMENTS:**

- A. City water and sewer services are currently not available to serve the site.
- B. Access control except for two openings shall extend along the entire frontage of the property on 53rd Street.
- C. Minimum pad elevations shall be listed on the plat or on the approved final drainage plan.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions, with cost estimates shall be submitted to the City of Maize for recording.
- E. **City Engineering** needs to comment on the status of the applicant’s final drainage plan.
- F. This property is in Area C on the FEMA flood map, not in the floodplain.
- G. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable (water service and fire hydrants required for fire protection shall be as per the direction and approval of the Chief of the Sedgwick County Fire Department.)
- I. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (Phone 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.

- J. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- K. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Maize, erosion and sediment control devices must be used on ALL projects.
- L. Perimeter closure computations shall be submitted with the final plat tracing.
- M. Recording of the plat within thirty (30) days after approval by the City Council.
- N. The applicant is reminded that a compact disk (CD) shall be submitted with the final plat tracing to the City of Maize detailing this plat in digital format in AutoCAD, or sent via e-mail to dlemon@cityofmaize.org. This will be used by the County GIS Department.

Planning Commission Action

Having reviewed the one-step final plat for the Weninger Maize Commercial Addition filed as S/D 01-016, 1, _____ move that the Planning Commission

Approve the one-step final plat subject to conditions and modifications as heretofore agreed upon and listed, or

Disapprove the one-step final plat for reasons heretofore agreed upon

Or defer the plat until the April regular meeting of the Planning Commission for further information or study as heretofore specified

Motion seconded by _____ and passed by a vote of _____ to _____. Member(s) abstaining from the vote was (were) _____.

Note: Except in the case of a tie vote, abstentions are counted as part of the majority vote. Members disqualifying themselves are not a part of the quorum and unable to vote.

Land Records Map Zoning Map Elections Map

Basemaps



Select Aerial Year

2000 2003 2006 2008 2011 2014

Map Layers

Show additional map layers



Mile 279.4

Mile 279.4

Mile 279.6

Mile 279.6

300 m

1000 ft

Mile 279.8

Mile 279.8

53RD ST N

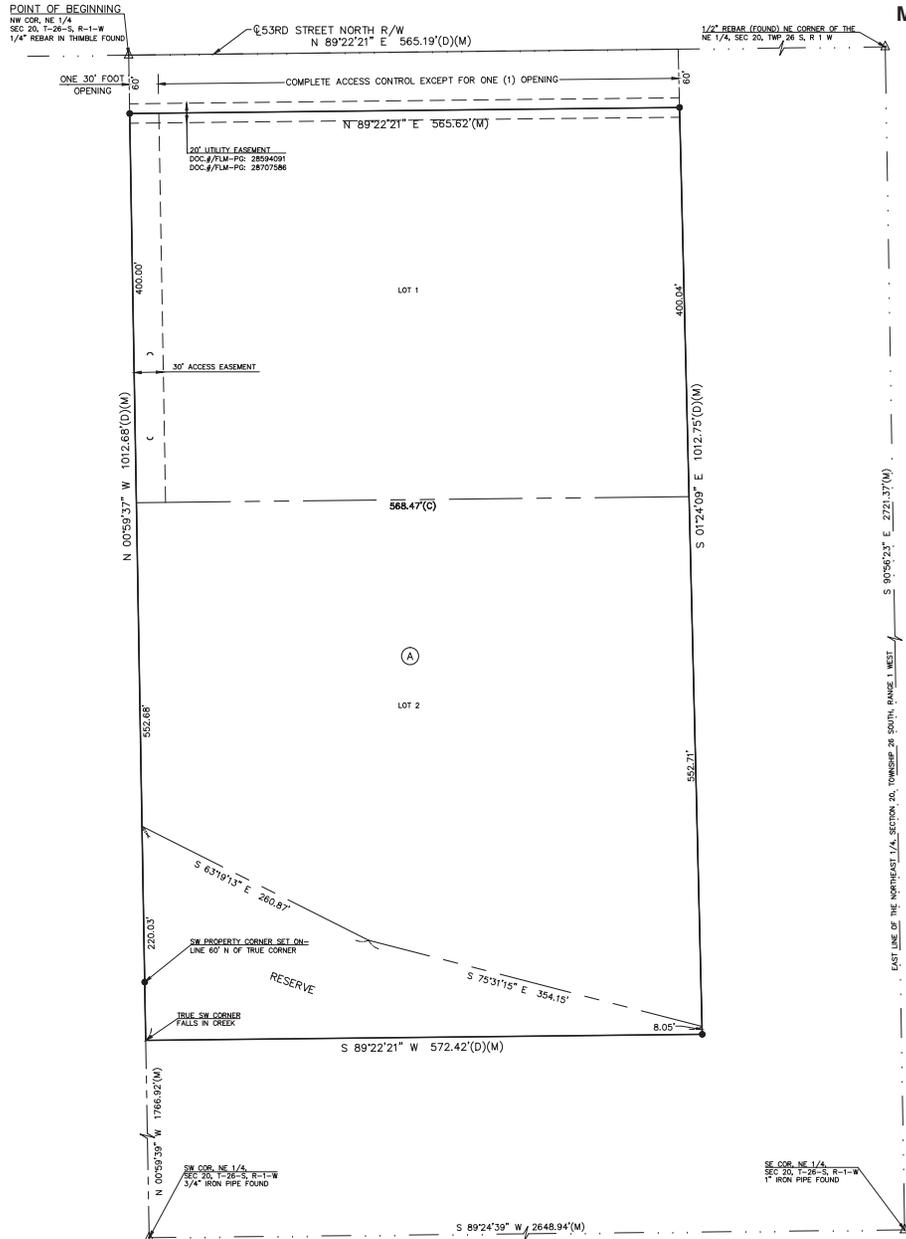
TYLER RD

JASPER

JASPER

JASPER

FINAL PLAT OF WENINGER MAIZE COMMERCIAL ADDITION MAIZE, SEDGWICK COUNTY, KANSAS



LAND SURVEYOR'S CERTIFICATE AND DESCRIPTION

WE, KAW VALLEY ENGINEERING, INC. SURVEYORS IN AFORESAID COUNTY AND STATE DO HEREBY CERTIFY THAT, UNDER THE SUPERVISION OF THE UNDERSIGNED, WE HAVE SURVEYED AND PLATED "WENINGER MAIZE COMMERCIAL ADDITION", MAIZE, SEDGWICK COUNTY, KANSAS AND THAT THE ACCOMPANYING PLAT IS A TRUE AND CORRECT EXHIBIT OF THE PROPERTY SURVEYED, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN, THENCE ON A STATE PLANE GRID BEARING OF N 89°22'21" E ALONG THE NORTH LINE OF SAID QUARTER FOR 565.19 FEET; THENCE S 01°24'09" E FOR 1012.75 FEET; THENCE S 89°22'21" W FOR 552.71 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER, THENCE N 07°58'26" W NORTH ALONG THE WEST LINE OF SAID QUARTER 1012.68 FEET TO THE POINT OF BEGINNING EXCEPT THE NORTH 60.00 FEET THEREOF. THE ABOVE TOTAL CONTAINS 12.4 ACRES, MORE OR LESS.

DATE OF SURVEY: JANUARY 28, 2015

BASE OF BEARINGS:
THE BASE OF BEARINGS FOR THIS SURVEY IS A GRID BEARING OF N 89°22'21" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 1 WEST, OF THE 6TH PRINCIPAL MERIDIAN, MAIZE, SEDGWICK COUNTY, KANSAS.

I HEREBY CERTIFY THAT THE DETAILS OF THIS PLAT ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS DAY OF _____, 2016.



JEFFERY L. DETMANN

GOVERNING BODY CERTIFICATE

STATE OF KANSAS, SEDGWICK COUNTY | SS

THE DEDICATIONS SHOWN ON THIS PLAT, IF ANY, ARE HEREBY ACCEPTED BY THE GOVERNING BODY OF THE CITY OF MAIZE, KANSAS ON _____, 2016.

BY _____, MAYOR

ATTEST: _____, CITY CLERK

OWNER'S CERTIFICATE

STATE OF KANSAS, COUNTY OF SEDGWICK | SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED OWNER OF THE LAND DESCRIBED IN THE LAND SURVEYOR'S CERTIFICATE; HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED ON THE ACCOMPANYING PLAT INTO LOTS, A BLOCK, STREET AND A RESERVE UNDER THE NAME OF WENINGER MAIZE COMMERCIAL ADDITION, MAIZE, SEDGWICK COUNTY, KANSAS. THE STREET RIGHT-OF-WAY AS DENOTED ON THE PLAT ARE HEREBY DEDICATED TO AND FOR THE USE OF THE PUBLIC FOR THE PURPOSE OF CONSTRUCTION, OPERATING, MAINTAINING AND REPAIRING PUBLIC IMPROVEMENTS. RESERVE IS HEREBY RESERVED FOR DRAINAGE AND UTILITY PURPOSES; NO SIGNS, LIGHT POLES, PRIVATE DRAINAGE SYSTEMS, MASONRY TRASH ENCLOSURES OR OTHER STRUCTURES SHALL BE LOCATED WITHIN PUBLIC UTILITY EASEMENTS, AND FURTHER THAT THE LAND CONTAINED HEREIN IS HELD AND SHALL BE CONVEYED SUBJECT TO ANY APPLICABLE RESTRICTIONS, RESERVATIONS AND COVENANTS NOW ON FILE OR HEREAFTER FILED IN THE OFFICE OF THE REGISTER OF DEEDS OF SEDGWICK COUNTY, KANSAS.

DATE SIGNED: _____

_____, PREMIER STORAGE MAIZE, LLC

NOTARY CERTIFICATE

STATE OF KANSAS, COUNTY OF SEDGWICK | SS

THIS FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ DAY OF _____, 2016, BY PREMIER STORAGE MAIZE, L.L.C.

_____, NOTARY PUBLIC

_____, PRINTED NAME

MY APPOINTMENT EXPIRES: _____

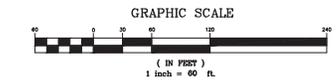
BENCHMARKS

VERTICAL DATUM IS NGVD 88
 BM #1: USGS 210: 600 SPIKE IN RAILROAD TIC CORNER POST 45' SOUTH OF THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 26 SOUTH, RANGE 1 WEST OF THE 6TH PRINCIPAL MERIDIAN. ELEV=1348.92
 BM #2: 1/2" REBAR W/PINK CONTROL POINT CAP 113.43 FEET SOUTH PARALLEL OF THE NORTH LINE AND 182.67 FEET PARALLEL OF THE WEST LINE. ELEV=1348.08

TRANSFER RECORD

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 2016.

_____, COUNTY CLERK



- LEGEND:**
- △ SECTION CORNER 5/8" REBAR FOUND, ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
 - 1/2" REBAR W/KVE CLS 20 CAP SET
 - (M) MEASURED
 - (C) CALCULATED
 - (D) DESCRIBED

PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS, COUNTY OF SEDGWICK | SS

THIS PLAT OF "WENINGER MAIZE COMMERCIAL ADDITION", ADDITION TO MAIZE, SEDGWICK COUNTY, KANSAS, HAS BEEN SUBMITTED TO AND APPROVED BY THE MAIZE CITY PLANNING COMMISSION, MAIZE, KANSAS, DATED THIS _____ DAY OF _____, 2016.

AT THE DIRECTION OF THE MAIZE CITY PLANNING COMMISSION,

_____, GARY KIRK, CHAIRMAN

_____, BRYAN AUBUCHON, SECRETARY

THIS PLAT APPROVED AND ALL DEDICATIONS SHOWN HEREON, ACCEPTED BY THE CITY COUNCIL OF MAIZE, KANSAS, THIS _____ DAY OF _____, 2016.

AT THE DIRECTION OF THE CITY COUNCIL,

_____, CLARE DONNELLY, MAYOR

_____, JOCELYN RED, CITY CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF KANSAS, COUNTY OF SEDGWICK | SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS AT _____ ON THE _____ DAY OF _____, 2016 AND IS DULY RECORDED.

_____, TONYA BUCKINGHAM, REGISTER OF DEEDS

DEPUTY COUNTY SURVEYOR CERTIFICATE

REVIEWED IN ACCORDANCE WITH K.S.A. 58-2005 ON THIS _____ DAY OF _____, 2016

_____, DEPUTY COUNTY SURVEYOR SEDGWICK COUNTY KANSAS

KAW VALLEY ENGINEERING, INC.
 200 N EMPORIA AVENUE, SUITE 100
 WICHITA, KANSAS 67202
 PH. (316) 440-4304 | FAX (316) 440-4309
 WH@kvens.com | www.kvens.com

DATE OF PREPARATION: MARCH 9, 2016 PROJECT NO. G15D0239 SHEET 1 OF 1

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, March 21, 2016**

AGENDA ITEM #8B

ITEM: Fire Code Ordinance and Intergovernmental Service Agreement

BACKGROUND:

Sedgwick County Fire District No. 1 (Fire District) has adopted the new 2012 Addition of the International Fire Code.

The Fire District has requested Maize update their Fire Code to reflect these changes and enter into an Intergovernmental Services Agreement that will allow the Fire District to prosecute such violations in County Court.

The City Attorney and the County worked together to develop two documents for Council consideration.

1. Intergovernmental Services Agreement:
This allows for county enforcement, fines, and prosecution in the City of Maize.
2. City of Maize Ordinance:
This Ordinance Adopts the Sedgwick County Fire Code, 2012 Edition, the Fire District Amendments (by reference), and the City of Maize amendment to Section 7-103A which exempts for fire sprinkling at certain venues. Examples of such as dinner theater, staged play, et al.

A copy of the Sedgwick County Fire Code 2012 Edition is included in the agenda backup information packet for your review and light reading.

FINANCIAL CONSIDERATIONS:

No additional costs or revenue will be realized.

LEGAL CONSIDERATIONS:

City Attorney approves these two documents and will be available for questions if there are any.

RECOMMENDATION:

1. Adopt the ordinance for the International Fire Code 2012 adopting the Sedgwick County Fire Code, 2012 Edition and amendments to Section 7-101 from the City of Maize, Kansas, and authorize the Mayor to sign.
2. Approve the Government Services agreement between Sedgwick County Fire District No. 1 and the City of Maize and authorize the Mayor to sign.

(Note - This action can be taken in one motion - council discretion)*

**GOVERNMENT SERVICES AGREEMENT
FOR FIRE CODE INSPECTION AND ENFORCEMENT
BY SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE
IN THE CITY OF MAIZE, KANSAS**

THIS AGREEMENT is entered into this 21st day of March , 2016, by and between the City of Maize, Kansas hereinafter referred to as the “City”, and Sedgwick County, Kansas, hereinafter referred to as the “County”.

WITNESSTH:

WHEREAS, the City and County are desirous of providing the best possible fire protection services for the citizens of the City and its environs; and

WHEREAS, the City is located within Sedgwick County Fire District No. 1; and

WHEREAS, City and County are authorized to enter into an agreement for such services pursuant to K.S.A. 12-2908 and K.S.A. 19-3608, and such agreement shall not be regarded as an interlocal agreement under the provisions of K.S.A. 12-2901, *et seq.*; and

WHEREAS, County has a fire code that is effective within all of the unincorporated areas of Sedgwick County, Kansas and those cities within Sedgwick County which have by action of their governing bodies adopted the Sedgwick County Fire Code.

NOW, THEREFORE, in consideration of the mutual promises and covenants recited herein, the parties do agree as follows:

1. The County, through Sedgwick County Fire District No. 1, shall provide inspection and enforcement services in accordance with the Sedgwick County Fire Code, 2013 Edition, pursuant to Resolution No. 162-2013, and any amendments thereto, or any subsequent version of the Sedgwick County Fire Code that has been adopted by the City.
2. The City will not be responsible for any payments to County for the services provided by County under this Services Agreement.
3. The County shall retain all monies received for registration, licenses, permits, inspections or other related fees required by the Sedgwick County Fire Code.
4. By entering into this Services Agreement, the governing body of the City has consented to the County exercising local legislation and administration, including but not limited to enforcement of the Sedgwick County Fire Code within the corporate limits of the City, such that this Services Agreement does not infringe upon the City’s home rule powers, pursuant to K.S.A. 19-101a(4) .
5. The City’s governing body has taken formal action to adopt the Sedgwick County Fire Code within the City’s corporate boundaries.
6. The City consents to the County’s jurisdiction to prosecute violations of the Sedgwick County Fire Code that occur within the City’s corporate boundaries in the Sedgwick County Court, pursuant to Sec. 8-1, et seq., of the Sedgwick County Code.
7. Either party to this Services Agreement shall have the right to terminate this Services Agreement upon notice to the other as set forth hereinafter. Written notice of termination issued on lawful authority of the terminating party shall be given in writing not less than 30 days prior to the effective date of termination. Notice shall be sent to:

COUNTY: Sedgwick County Fire District No. 1
Attn: Fire Chief
7750 N. Wild West Dr.
Park City, KS 67147

And

County Counselor's Office
Attn: Contract Notification
Sedgwick County Courthouse
525 N. Main, Suite #359
Wichita, KS 67203

CITY: City of Maize, Kansas
Attn: City Clerk
10100 W Grady
Maize, Kansas 67101

8. City expressly agrees and covenants that it will hold and save harmless and indemnify the County, its officers, agents, servants, and employees from liability of any nature or kind arising out of any act or omission relating to the provisions of this Agreement to the extent allowable under the Kansas Tort Claims Act, and excepting claims based on act or omissions by the County or its agents and/or employees.
9. County expressly agrees and covenants that it will hold and save harmless and indemnify City, its officers, agents, servants, and employees from liability of any nature or kind arising out of any act or omission relating to the provisions of this Services Agreement to the extent allowable under the Kansas Tort Claims Act, and excepting claims based on acts or omissions by the City or its agents and/or employees.
10. This Services Agreement contains the entire agreement between the parties relating to the subject matter hereto. No amendment, waiver or modification of this Services Agreement shall be effective unless reduced to writing and signed by the authorized officers of each of the parties hereto.
11. This Services Agreement shall become effective upon signature of approval of both parties and upon compliance of City with the provisions at paragraph 5, above, and shall continue in force and effect until terminated by either party as provided in paragraph 7, above.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on the date herein written.

CITY OF MAIZE, KANSAS

SEDGWICK COUNTY, KANSAS

Clair E. Donnelly, Mayor

**Richard Ranzau, Chairman
Commissioner, Fourth District**

ATTEST:

ATTEST:

Jocelyn Reid, City Clerk

Kelly B. Arnold, County Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Thomas R. Powell, City Attorney

**Justin M. Waggoner,
Assistant County Counselor**

(Summary of Ordinance Published in *The Clarion*
on the ____ day of _____, 2016.)

THE CITY OF MAIZE, KANSAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MAIZE, KANSAS, AMENDING SECTIONS 7-101, 7-103 AND 7-103A OF THE MUNICIPAL CODE OF THE CITY OF MAIZE, KANSAS, PERTAINING TO ADOPTING BY REFERENCE THE INTERNATIONAL FIRE CODE, 2012 EDITION; ADOPTING BY REFERENCE THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS' CHANGES, ADDITIONS AND OMISSIONS TO THE INTERNATIONAL FIRE CODE, 2012 EDITION BY CHANGING, ADDING TO AND OMITTING PARTS OF TABLE 105.1.4 OF THE SEDGWICK COUNTY AMENDMENTS TO THE INTERNATIONAL FIRE CODE; CHANGING, ADDING TO OR OMITTING PARTS OF 9.03.2.1.2A-2 OF THE INTERNATIONAL FIRE CODE, 2012 EDITION; AND REPEALING THE ORIGINAL SECTION 7-101, 7-103 AND 7-103A OF THE CODE OF THE CITY OF MAIZE KANSAS.

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

Section 1. Section 7-101 of the Code of the City Amended. Section 7-101 of the Code of the City of Maize, Kansas is hereby amended to read as follows:

7-101. (a) ADOPTION OF 2012 INTERNATIONAL FIRE CODE. The International Fire Code, 2012 Edition, including Appendices B, C, D, E, F and G, published by the International Code Council, Inc., 500 New Jersey Ave. NW, 6th Floor, Washington, DC 20001, save and except portions as are changed, added or omitted in this Chapter 7 of the Code of the City of Maize, Kansas, hereafter referred to as the "Fire Code", is hereby adopted in its entirety by the governing body of the City as the Fire Code of the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion.

(b) ADOPTION OF AMENDMENTS TO 2012 FIRE CODE AS ADOPTED BY SEDGWICK COUNTY, KANSAS. The amendments to the Fire Code as adopted by resolution and published by the Board of Commissioners of Sedgwick County, Kansas, in 2013, save and except such portions as are changed, added or omitted in this Chapter 7, hereafter referred to as "Sedgwick County Amendments to the Fire Code" is hereby adopted in its entirety by the governing body of the City.

(c) AVAILABILITY OF FIRE CODE AND SEDGWICK COUNTY AMENDMENTS TO THE FIRE CODE FOR PUBLIC INSPECTION. Not less than three (3) copies of the Fire Code and three (3) copies of the Sedgwick County Amendments to the Fire Code shall be marked or stamped "Official Copy as incorporated by Ordinance No. ____" [this ordinance], with all sections or portions thereof intended to be changed, added or omitted clearly marked to show any such changes, additions or omissions, and to which

should be attached a copy of the incorporating ordinance, that shall be filed with the city clerk to be open to inspection and available to the public at all reasonable business hours. In addition, the police department, municipal judge and all administrative departments of the City charged with the enforcement of this ordinance shall be supplied with official copies.

Section 2. Section 7-103 of the Code of the City Amended. Section 7-103 of the Code of the City of Maize, Kansas is hereby amended to read as follows:

7-103. ADDITIONS AND OMISSIONS TO THE SEDGWICK COUNTY, KANSAS, AMENDMENTS TO THE 2012 FIRE CODE.

(a) TABLE 105.1.4, OPERATIONAL PERMITS PORTION is hereby amended by adding the following:

All Burn Permits may be applied for online at www.sedgwickcounty.org/fire.

Open burning permit..... No fee
Agricultural burning permit..... No fee

(b) TABLE 105.1.4, OPERATIONAL PERMITS PORTION is hereby amended by deleting the following row of the Table:

Commercial burning \$75.00

(c) TABLE 105.1.4, CONSTRUCTION PERMITS PORTION is hereby amended by adding the following:

Plan review..... Fees addressed in Section 114.5

Section 3. Section 7-103A of the Code of the City Amended. Section 7-103A of the Code of the City of Maize, Kansas is hereby amended to read as follows:

7-103A. AMENDMENT TO SECTION 9.03.2.1.2 Group A-2. Section 9.03.2.1.2 of the International Fire Code, 2012 Edition, is omitted and is changed to read as follows:

For the purpose of this Section 7-103A of the Code of the City of Maize, Kansas:

(a) “dinner theater” means a premises where a form of entertainment is provided that combines a restaurant meal with a staged play or musical concert;

(b) “staged play” means a form of written literature written by a playwright, usually consisting of scripted dialogue between characters, intended for theatrical performance rather than just reading;

(c) “musical concert” means a performance by one or more singers or instrumentalists or both that does not involve dancing by patrons, i.e., a musical

concert is a listening event as opposed to a listening and dancing event;

(d) "gross revenues" means gross revenues derived from the sale of food for consumption on the premises and sale of alcohol for consumption on the premises combined; and

(e) "drinking establishment/restaurant" means a premises which is open to the general public where alcoholic liquor by the individual drink is sold, which derives not less than fifty percent (50%) of its gross revenue from the sale of food for consumption on the premises.

903.2.1.2 Group A-2. *An automatic sprinkler system shall be provided for new Group A-2 occupancies, and when existing A-2 occupancies are remodeled to the extent that requires the submission of building plans or the issuance of a building permit, when one or more of the following conditions exists:*

1. *The fire area exceeds 5,000 square feet (464.5m²);*
2. *The fire area has an occupant load of 300 or more;*
3. *The fire area is located on a floor other than the level of exit discharge;*
4. *The fire area contains a nightclub, drinking establishment, bar, or tavern that has an occupant load of 125 or more, and where the consumption or possession of alcoholic beverages is permitted and entertainment in any form is provided;*
5. *The fire area contains a dinner theater that has an occupant load of 300 or more, and where consumption or possession of alcoholic beverages is permitted, i.e., there is a license to sell alcoholic beverages on the premises; or*
6. *The fire area contains a drinking establishment/restaurant that has an occupant load of 300 or more.*

Enforcement of the food sales percentages required for drinking establishments/restaurants by the provisions of this Section 7-103A of the Code of the City of Maize, Kansas shall be by both random and initial audits of such establishments.

(a) Initial audit. Every owner/operator of a newly opened drinking establishment/restaurant shall be required to provide information as required in subsection (c) herein for an initial audit once the establishment has been in operation for a two month period.

(b) Random audits. Random audits of drinking establishment/restaurant may be held at any time, but not more than once every six (6) months. Owner/Operators shall be required to provide the information as required in subsection (c) herein when a random audit is conducted.

(c) Audits of drinking establishments/restaurants. Upon request of the City Administrator, information for any audit required by this section shall be submitted on forms approved by the City. The City Administrator shall be responsible for conducting or overseeing the audit process. Information for the audit which must be provided shall include, but not be limited to, copies of business records sufficient to demonstrate the total gross revenue for food sales and alcohol sales for the two calendar months that precede the date the City Administrator commences the audit,

e.g., if a request is received on June 15, the audit would be for the months of April and May. Sufficient business records shall be deemed to include, but shall not be limited to, a list of vendors with verifying information, including written authorization from the licensee for any agent or agents of the City to contact vendors directly and obtain information regarding such records; a listing of monthly payments to food vendors and monthly payments to alcohol vendors. For the purpose of any audit required by this section, revenues from the sale of non-alcoholic beverages that are mixed with alcoholic liquor shall be counted as alcohol sales and not as food sales. When an audit is requested, the owner/operator shall remit all required information to the City Administrator within fifteen (15) days from the date of the request.

(d) Reclassification. Failure to provide the necessary business records as required, or the failure of the records provided to demonstrate that the required food sales percentages are being maintained will result in the reclassification of the premises from a drinking establishment/restaurant to a drinking establishment. An owner/operator of a business that is reclassified from a drinking establishment/restaurant to a drinking establishment shall have four (4) months from the date of such reclassification to come into compliance with the requirement that drinking establishments must have a sprinkler system if the fire area for the establishment has an occupant load of 100 or more.

Section 2. Repeal. The existing Section 7-101, 7-103 and 7-103A of the Code of the City of Maize, Kansas are repealed.

Section 3. Publication. This ordinance shall be published once in the official City newspaper.

Section 4. Effective Date. This ordinance shall be effective on the date of publication of a summary of this ordinance in the official City newspaper.

ADOPTED by the Governing Body of the City of Maize, Kansas and APPROVED by the Mayor on this ____ day of _____, 2016.

CLAIR DONNELLY, Mayor

ATTEST:

JOCELYN REID, City Clerk

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, March 21, 2016**

AGENDA ITEM # 8C

ITEM: UTILITY COLLECTIONS

BACKGROUND:

The City signed a debt recovery agreement with Kansas Counselors Inc. in December of 2011. They have only been successful in recovering a few accounts since that time. The City also utilizes the Kansas State Setoff program for a few older accounts but the process is quite slow.

Staff was approached by Account Recovery Specialists, Inc. in August of 2015. They allowed us to submit a test batch of delinquent accounts to ensure their collection performance. In a few months they have collected on 44% of the accounts we submitted.

ARSI is a locally based company with an office in Wichita. Staff receives regular calls and e-mail to update us on any account activity. Staff is able to access all accounts at any time online. If any accounts require legal action, they have a local attorney that handles them. The agreement is for a one year term and will automatically renew each year. The agreement may be terminated by either party upon 30 days written notice.

FINANCIAL CONSIDERATIONS:

Account Recovery Specialists, Inc. charges a 25% collection fee which is standard among collection agencies, including Kansas State Setoff.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the agreement as to form.

RECOMMENDATION/ACTION:

Recommendation: Approve the Account Recovery Specialist, Inc. agreement

COLLECTION SERVICES AGREEMENT

This Agreement is entered into this _____ day of _____, 2016, by and between Account Recovery Specialists, Inc. (Agency) and City of Maize, Kansas (Client).

Wherefore, in consideration of their mutual promises and covenants, each party agrees as follows:

1. **UNDERSTANDING**

Agency is a collection agency authorized to do business in the state of Kansas with offices in Dodge City, Garden City and Wichita. Client periodically has delinquent accounts and wishes to engage the collection services of Agency.

2. **FEE SCHEDULE**

The following contingent fee schedule will apply to utility accounts placed with agency for collection:

Any new account placed = 25.00%

Any account that requires referral to attorney = 40.00%

Any account that requires referral outside of Kansas = 50.00%

Any interest recovered is shared at 50.00%

Should a counterclaim be filed, Client shall hire its own attorney, or enter into a fee arrangement directly with Agency attorney to defend the counterclaim. Standard defenses not involving counterclaims will be handled at no additional cost to Client.

3. **REPORTING**

Agency will account and pay monthly to Client all sums received on accounts placed. If Agency bills Client for any fees outstanding, Agency will expect payment of fees within 10 days from receipt of statement.

Client agrees to report "direct payments" from whatever source, to Agency within 48 hours of receipt.

4. **COMPLIANCE**

Agency is familiar with the Fair Debt Collection Practices Act and all collectors employed by Agency are trained and tested for compliance. Agency agrees to hold harmless Client on any claims alleging Agency violations.

Agency has established a Red Flag program in accordance with the Federal Trade Commission's Identification Prevention Red Flag Rule , 16 C.F.R. § 681.1 and all staff are trained for compliance.

5. **REFERRALS FOR SUIT**

Before referring to any attorney for legal proceedings, Agency will provide Client with a list of such accounts and request approval to file suit. Client will review said list within 10 days and advise of approval, or decline to sue. All suits will be brought in the name of Client. Court costs are added to debtors' accounts and reimbursed to the Clerk of the District Court upon receipt of payment since Client is exempt from depositing costs. On occasion court costs may not be recovered from the debtor due to account circumstances such as

charity or bankruptcy filing. In these instances costs not recovered will be billed on client's monthly statement so that the Clerk of the District Court is reimbursed.

6. **CONTROL OF ACCOUNTS**

Accounts may be recalled by Client only under unusual circumstances, for example; error in turning or neglect or mishandling by Agency.

7. **BANKRUPTCY CLAIMS**

Agency shall file Bankruptcy claims on behalf of Client as necessary on any accounts placed for collection, without additional charge.

Whether or not a claim may be filed, Client agrees to forward Bankruptcy notices to Agency within 24 hours of receipt on any account placed with Agency to ensure compliance with the Federal Bankruptcy Stay.

8. **CANCELLATION**

This Agreement shall begin on the date first written above and shall continue thereafter for a period of one (1) year unless otherwise terminated as provided herein. This Agreement shall automatically be renewed for subsequent periods of one (1) year each unless the Agreement is otherwise terminated as provided herein. This Agreement may be cancelled by either party upon 30 days written notice. All pre-judgment accounts showing no payment for 90 or more days will be closed and returned by Agency in the event of cancellation. Other remaining accounts will be kept and worked under the terms of this Agreement until paid in full or no payment for 90 days, with the exception of judgment accounts, which shall be retained.

9. **RELATIONSHIP**

Agency is an independent contractor, and the relationship between the parties is not that of employer-employee.

Account Recovery Specialists, Inc.

By: _____
Katie Duncan, Business Development Associate

City of Maize, Kansas

By: _____

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, March 21, 2016**

AGENDA ITEM #8D

ITEM: WDM Architects Agreement

BACKGROUND:

Extensive research and study has been conducted to determine a design for the new restroom facility to be located at the City Park. It was decided the best design to fit our needs is similar to the restrooms design currently located at Sedgwick County Park. Discussions with County personnel and on-site visits confirmed this conclusion.

WDM Architects designed the Sedgwick County Park restrooms. For illustration, a picture of the restroom located at Sedgwick County Park is attached. At the City's request some modification to the Sedgwick County plans will be made to better accommodate our needs.

The City Engineer has reviewed and approved the plans.

FINANCIAL CONSIDERATIONS:

WDM Architect's original bid for Maize to use the County plans was \$14,700.00. After discussion and further negotiations a cost of \$7,565.00 has been agreed on.

LEGAL CONSIDERATIONS:

City Attorney has been out of the City and will review the agreement upon return.

RECOMMENDATION:

Approve the WDM Agreement in the amount of \$7,565.00 subject to the City Attorney's review.



March 11, 2016

Mrs. Jolene Allmond
City of Maize-Executive Administrative Assistant
10100 Grady Ave.
P.O. Box 245
Maize, KS 67101

Re: Architectural & Engineering Fee Proposal for Maize Park Restroom Building – Maize, KS

Dear Jolene,

Thank you for contacting WDM Architects to discuss your restroom building project and the opportunity to submit this proposal. This letter is written to serve as an agreement between the City of Maize (Owner) and WDM Architects P.A. (WDM) who will provide professional design and engineering services for the new restroom building.

Statement of Understanding:

The project is to provide construction documents for the construction of an approximately 640 square foot restroom building in the city of Maize, Kansas. The project is similar in size and scope to the Sedgwick County Park Restroom Building we designed in 2007. Like the Sedgwick County project, it is assumed that the building will be in operation 24 hours a day. It will be a restroom facility only (no showers). Construction assemblies and materials shall be the same (single wythe split-faced cmu block walls supporting fabricated wood roof trusses). The design of the new restroom building will take into account and reflect 2010 ADA Requirements. At this time construction budget is unknown.

The only deviations from the previously designed building for Sedgwick County is the entry door to the mechanical/plumbing chase shall be located to the rear, include drinking fountains between front entry doors, floor drains shall be located closer to restroom fixtures and advise Owner on cost difference between stainless steel and porcelain fixtures for fixture type selection. See also engineering fee proposal that defines Structural and MEP scope of work services.

Architectural Scope of Services (Construction Documents):

- Develop Construction Documents (drawings and specifications) for city review and constructing the project. All architectural construction documents (drawings and specifications) will be sealed by a professional architect licensed in the State of Kansas.

(Bidding & Negotiation):

- WDM to assist/perform bid opening service.
- Other scope By Owner

(Construction Administration):

- By Owner. Therefore, Owner is responsible for inspections to confirm that the construction is compliant with current building coded and conforms to the design intent. By authorizing this contract, the Owner assumes all responsibility for construction related activity and releases the A&E design team from any liability.

Exclusions:

- Cost Estimates
- Bidding Services other than the bid opening service listed above.
- Negotiation/Contract Services
- Construction Administration & Closeout Procedures
- Surveying and Platting
- Geotechnical Soils Investigation, Borings and Report.
- Landscape or Irrigation Design.
- Civil Engineering (grading, utility tie-in design, etc.)
- Bid Document Distribution – By Owner.
- Concrete Sidewalk and Paving – By Owner.
- Public or City Commission presentations.
- Any services not included within the basic services listed above – to be billed as additional services on an hourly basis at WDM's standard hourly rate.
- Providing, reviewing and incorporating Value Engineering suggestions – to be billed as additional services on an hourly basis at WDM's standard hourly rate.
- Site inspections or site visits necessary to resolve construction issues will be considered an additional service and billed as noted above. Additional office time required to resolve construction issues will be billed hourly.
- Major modifications/changes to the final 100% CD phase floor plans after they are received - to be billed as additional services on an hourly basis at WDM's standard hourly rate.

Schedule:

- It is anticipated that CD phase services will take a minimum of 12 weeks to complete following notice to proceed.

A&E Fee Summary/Payment:

WDM Architects P.A. proposes to perform the Scope of Work described above on the basis of a lump sum architectural and engineering fee of Seven Thousand Five Hundred Sixty Five Dollars (**\$7,565.00**), per breakdown below:

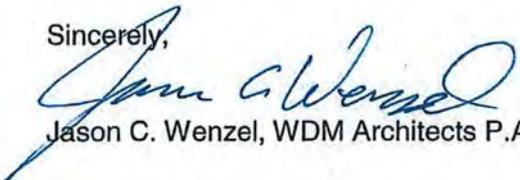
CD Phase Fee:	\$ 2,700.00	WDM
Bid & Negotiation	\$ 315.00	WDM
	<u>\$ 4,550.00</u>	MKEC
CD Phase Total Fee:	\$ 7,565.00	

Total Lump Sum A&E Fee: \$ 7,565.00

Reimbursable expenses are not included and will be billed in addition to the fee above. We recommend the Owner carry an allowance of \$500.00 for these items which may be billed by the design team.

Please contact me at your convenience if you have any questions or need additional information.

Sincerely,



Jason C. Wenzel, WDM Architects P.A.

- Attachments:**
 WDM Standard Conditions of Agreement
 WDM Hourly Rate Schedule



**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, MARCH 21, 2016**

AGENDA ITEM #8E

ITEM: Refund PBC Revenue Bonds, Series A, 2011 (City Government Complex) at lower interest rates to provide savings to the City

BACKGROUND

In 2006, the Maize Public Building Commission (PBC) issued its revenue bonds to pay the costs of constructing a new City Government Complex (city hall) for the City of Maize and the Maize Recreation Commission (MRC). These bonds were refunded in 2011 to provide savings to the City and MRC. Current interest rates present the opportunity to refund the 2011 issue, thereby realizing savings. (Debt service payments for the revenue bonds come from “rent payments” received by the PBC from the City, and from the MRC through a sublease.) To the extent debt service is reduced, the City’s rent payments will be proportionally reduced. The interest rates on the 2011 issue ranges from 3.00% to 5.2%.

2011 PBC Bonds				
Date	Principal	Coupon	Interest	Total P+I
05/01/2016	-	-	-	-
05/01/2017	115,000.00	3.000%	184,095.00	299,095.00
05/01/2018	125,000.00	3.200%	180,645.00	305,645.00
05/01/2019	140,000.00	3.400%	176,645.00	316,645.00
05/01/2020	160,000.00	3.600%	171,885.00	331,885.00
05/01/2021	175,000.00	3.800%	166,125.00	341,125.00
05/01/2022	195,000.00	4.500%	159,475.00	354,475.00
05/01/2023	215,000.00	4.500%	150,700.00	365,700.00
05/01/2024	240,000.00	4.750%	141,025.00	381,025.00
05/01/2025	270,000.00	4.750%	129,625.00	399,625.00
05/01/2026	295,000.00	5.000%	116,800.00	411,800.00
05/01/2027	325,000.00	5.000%	102,050.00	427,050.00
05/01/2028	355,000.00	5.200%	85,800.00	440,800.00
05/01/2029	395,000.00	5.200%	67,340.00	462,340.00
05/01/2030	430,000.00	5.200%	46,800.00	476,800.00
05/01/2031	470,000.00	5.200%	24,440.00	494,440.00
Total	\$3,905,000.00	-	\$1,903,450.00	\$5,808,450.00

Current interest rates are lower, so the City and MRC could save money by refinancing this debt (issuing new “refunding bonds”) at lower interest rates. After refunding, the semi-annual principal and interest payments will be reduced.

FINANCIAL CONSIDERATIONS:

The following spreadsheet shows estimated savings to the PBC (for each fiscal year, and then totaled up – representing savings to the PBC after costs of issuance are paid):

Calendar Year	ESTIMATED Rates	ESTIMATED		ESTIMATED SAVINGS
		New Debt Service (New 2016 Bonds)	Old Debt Service (Prior 2011 Bonds)	
2016		51,633.75	92,047.50	40,413.75
2017	1.000%	182,867.50	297,370.00	114,502.50
2018	1.200%	186,957.50	303,645.00	116,687.50
2019	1.400%	195,782.50	314,265.00	118,482.50
2020	1.600%	209,237.50	329,005.00	119,767.50
2021	1.800%	212,322.50	337,800.00	125,477.50
2022	2.000%	348,737.50	350,087.50	1,350.00
2023	2.150%	358,285.00	360,862.50	2,577.50
2024	2.300%	372,047.50	375,325.00	3,277.50
2025	2.450%	389,853.75	393,212.50	3,358.75
2026	2.600%	401,640.00	404,425.00	2,785.00
2027	2.750%	417,335.00	418,925.00	1,590.00
2028	2.900%	426,875.00	431,570.00	4,695.00
2029	3.000%	450,140.00	452,070.00	1,930.00
2030	3.100%	462,095.00	465,620.00	3,525.00
2031	3.250%	477,637.50	482,220.00	4,582.50
-	\$5,143,447.50	\$5,143,447.50	\$5,808,450.00	\$665,002.50

Actual savings will be determined based on bond bids received at the April 18 council meeting.

NOTE: The plan is to structure the refunding bond to provide larger “upfront” savings – which can provide additional cash flow for other projects (e.g., sewer loan) in the first few years.

LEGAL CONSIDERATIONS:

The Bonds are callable by the PBC upon instructions from the City. Bond Counsel prepared the Resolution (attached), which requests that the PBC proceed with the refunding process.

RECOMMENDED ACTION:

Approve the “Resolution” requesting that the PBC proceed with refunding of the 2011 PBC bonds.

(Following this action by the City, the PBC will need to take action as well. See next agenda item.)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF REFUNDING REVENUE BONDS (CITY GOVERNMENT COMPLEX) OF THE CITY OF MAIZE, KANSAS PUBLIC BUILDING COMMISSION.

WHEREAS, pursuant to K.S.A. 12-1757 *et seq.* and K.S.A. 10-116a (the “Act”), the City of Maize, Kansas Public Building Commission (the “PBC”) has the authority to issue revenue bonds for the purpose of providing funds to acquire land and facilities of a revenue producing character, to lease such facilities to the City of Maize, Kansas (the “City”), and to issue its refunding revenue bonds to refund any previously issued PBC revenue bonds; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Improvement Revenue Bonds, Series A, 2006 (City Government Complex) in the original principal amount of \$4,200,000 (the “Series 2006 Bonds”) to pay the costs of acquiring land and constructing a city government complex in the City of Maize, Kansas; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Refunding Revenue Bonds, Series A, 2011 (City Government Complex) in the original principal amount of \$4,280,000, of which \$4,005,000 remains outstanding (the “Series 2011 Bonds”) to refund the Series 2006 Bonds; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Improvement Revenue Bonds, Series 2012A (Recreation Facility Addition) in the original principal amount of \$300,000 (the “Series 2012 Bonds”) for the purpose of constructing and equipping an addition to the city government complex; and

WHEREAS, the city government complex is leased by the PBC to the City pursuant to a Lease Agreement dated as of May 15, 2006, as supplemented and amended by Supplemental Lease Agreement No. 1 dated as of April 1, 2011 and Supplemental Lease Agreement No. 2 dated as of October 1, 2012 (as supplemented and amended, the “Lease”); and

WHEREAS, the Series 2011 Bonds and Series 2012 Bonds are limited obligations of the PBC, payable solely from the revenues derived by the PBC pursuant to the Lease; and

WHEREAS, due to changing market conditions, it may be beneficial to the PBC and the City to authorize the PBC to issue refunding revenue bonds to refund all or a portion of the outstanding Series 2011 Bonds in order to achieve interest cost savings; and

WHEREAS, the outstanding Series 2011 Bonds maturing on and after May 1, 2017 are subject to optional redemption upon instructions from the City at any time on or after May 1, 2016, at a redemption price equal to the par value of the principal amount of such Series 2011 Bonds being redeemed, together with any interest accrued but unpaid thereon to the date fixed for redemption and payment, without premium; and

WHEREAS, the governing body of the City hereby finds and determines that the Series 2011 Bonds maturing on and after May 1, 2017 in the aggregate principal amount of \$3,905,000 (the “Refunded Bonds”) should be called for early redemption, subject to the conditions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MAIZE, KANSAS AS FOLLOWS:

Section 1. The PBC is hereby requested to offer for sale the PBC's Refunding Revenue Bonds, Series 2016A (City Government Complex) (the "Series 2016A Bonds") as described in the Notice of Bond Sale, which is hereby approved in substantially the form presented to the governing body this date. All proposals for the purchase of the Series 2016A Bonds shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Bond Sale, at which meeting the governing body shall review and approve such bids.

Section 2. The Clerk is hereby authorized to assist the President and Secretary of the PBC, in conjunction with the PBC's financial advisor, CityCode Financial, L.L.C., with the preparation of a Preliminary Official Statement. The City hereby consents to the use and public distribution of the Preliminary Official Statement in connection with the offering for sale of the Series 2016A Bonds.

Section 3. For the purpose of enabling the purchaser of the Series 2016A Bonds (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the "Rule"), the Mayor and Clerk or other the appropriate officers of the City are hereby authorized: (a) to approve the form of said Preliminary Official Statement, and to execute the "Certificate Deeming Preliminary Official Statement Final," in substantially the form attached hereto as *Exhibit A*, as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the City's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule.

Section 4. The Mayor, Clerk and the other officers and representatives of the City are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Series 2016A Bonds and the redemption of the Refunded Bonds.

Section 6. This Resolution shall be in full force and effect from and after its adoption.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City of Maize, Kansas on March 21, 2016.

(SEAL)

Mayor

ATTEST:

Clerk

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, September 21, 2015**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **September 21, 2015** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Council members present were **Pat Stivers, Karen Fitzmier, Donna Clasen, Kevin Reid** and **Alex McCreath**.

Also present were: **Richard LaMunyon**, City Administrator, **Rebecca Bouska**, Deputy City Administrator, **Jocelyn Reid**, City Clerk, **Matt Jensby**, Police Chief, **Ron Smothers**, Public Works Director, **Bill McKinley**, City Engineer, **Kim Edgington**, Planning Administrator, **Larry Kleeman**, Financial Advisor and **Kim Bell**, Bond Counsel.

APPROVAL OF AGENDA:

The Agenda was submitted for Council approval.

MOTION: **Clasen** moved to approve the Agenda as submitted.
McCreath seconded. Motion declared carried.

CONSENT AGENDA:

The Consent Agenda was submitted for approval including:

- a) Approval of minutes – Special Council Meeting of August 3, 2015 and Regular Council Meeting of August 17, 2015.
- b) Receive and file Planning Commission Minutes of July 9, 2015.
- c) Receive and file Park & Tree Board Minutes of August 11, 2015
- d) Cash Disbursements from August 1, 2015 through August 31, 2015 in the amount of \$1,590,129.75 (Check #61015through #61145).

MOTION: **Clasen** moved to approve the Consent Agenda as submitted.
McCreath seconded. Motion declared carried

Mayor Donnelly recessed the Council meeting at 7:05 pm.

PUBLIC BUILDING COMMISSION MEETING:

The Maize Public Building Commission (MPBC) special meeting was called to order at 7:05 p.m. Members present were: **Clair Donnelly**, Chairman, **Kevin Reid, Alex McCreath, Donna Clasen, Pat Stivers, Karen Fitzmier** and **Caroline Flett**. **Andy Schlapp** was absent.

APPROVAL OF AGENDA:

The Agenda was submitted for Commission approval.

MOTION: **Clasen** moved to approve the agenda as submitted.
McCreath seconded. Motion declared carried.

APPROVAL OF MINUTES:

The minutes from the August 17, 2015 MPBC meeting were submitted for approval.

MOTION: **Clasen** moved to approve the minutes of the August 17, 2015 MPBC meeting.
McCreath seconded. Motion declared carried.

MPBC SERIES 2015A REVENUE BONDS:

Bids for the sale of and a resolution authorizing the issuance of MPBC Series 2015A Revenue Bonds were submitted for Council approval.

MOTION: **Clasen** moved to accept the low bid from Raymond James with a net average interest rate of 1.87%.
McCreath seconded. Motion declared carried.

MOTION: *Clasen* moved to approve the bond resolution authorizing the MPBC Series 2015A Revenue Bonds in the amount of \$1,050,000.
Fitzmier seconded. Motion declared carried.

Secretary assigned Resolution #MPBC 14-15.

ADJOURNMENT:

With no further business before the MPBC,

MOTION: *Clasen* moved to adjourn.
Fitzmier seconded. Motion declared carried.
Meeting adjourned.

Mayor Donnelly reconvened the Council meeting at 7:15 pm.

CITY APPROVING ORDINANCE (PBC BONDS AND LEASE):

An ordinance authorizing the City to enter into lease agreements with the MPBC for the construction of the public works facility was submitted for Council approval.

MOTION: *Fitzmier* moved to approve the ordinance authorizing the lease and related documents in connection with the MPBC Series 2015A Revenue Bonds.
Clasen seconded. Motion declared carried.

City Clerk assigned Ordinance #892.

ZONING CASE #Z-03-015:

A request for zone change for 24.4 acres from SF-5 Single-Family Residential to 5.4 acres of LC Limited Commercial and 19 acres of MF-29 Multi-Family Residential on the east side of Maize Road , north of Ranch Road was submitted for Council approval. Staff also submitted Protective Overlay #PO-03-2015 for Council approval. *Gerald Woodard*, applicant, and *Scott Case*, developer, addressed Council.

The following people also addressed Council in regards to this item:

- **Ron Weddle** (9705 W Village Place) and **Jerry McKenzie** (9721 W Village Place) represented 43 homeowners in the Watercress Village addition. They spoke about concerns regarding screening, emergency access and drainage.
- **Joe Claeys** (9737 W Village Place) stated that homebuyers in Watercress Village were not informed about possible zone and road changes in adjoining properties. He was also concerned about multi-story apartment units overlooking a residential area.
- **Patrick Morgan** (4027 N Bluestem) suggested that a zoning class of MF-18 would be better than MF-29. He also spoke about drainage issues in the area.
- **Dale Haverkamp** (4047 N Bluestem Ct) addressed high turnover rates in apartment complexes and drainage issues.
- **Austin Duree** (4039 N Bluestem Ct) spoke about drainage issues and adequate screening.

MOTION: *McCreath* moved to table the item for further review by staff and Council.
Motion died for lack of a second.

MOTION: *Fitzmier* moved to approve and adopt the ordinance for a zone change and Protective Overlay #PO-03-2015 within Maize city limits.
Stivers seconded. Motion declared carried 4-1 with *McCreath* voting no.

City Clerk assigned Ordinance #903.

Stivers left the meeting at 9:05 pm.

ADJOURNMENT:

With no further business before the Council,

MOTION: *Reid* moved to adjourn.
 McCreath seconded. Motion declared carried.
 Meeting adjourned.

Respectfully submitted by:

Jocelyn Reid, City Clerk

**MAIZE PUBLIC BUILDING COMMISSION
MEETING
MONDAY, MARCH 21, 2016**

AGENDA ITEM #5A

ITEM: Refund PBC Revenue Bonds, Series A, 2011 (City Government Complex) at lower interest rates to provide savings

BACKGROUND

See previous agenda item of the City.

The City of Maize requested that the PBC proceed with refunding the 2011 revenue bonds to provide savings to the City and MRC.

FINANCIAL CONSIDERATIONS:

See previous agenda item for information regarding estimated savings due to the refunding.

The PBC issues “revenue bonds” to re-finance the building improvements which are then leased to the City and subleased to the MRC. Funds have been included to apply for a bond rating from Standard & Poor’s (S&P). It is anticipated that a PBC rating would be identical to the PBC’s previous rating (AA-).

Description:	PBC Revenue Bonds, Series 2016A
Amount:	\$4,015,000
Bids Due:	11:00 AM on April 18, 2016
Callable:	On and after May 1, 2021

A “sale resolution” to be approved tonight would authorize the PBC to take bids before the April 18 meeting – at which the lowest cost bid (lowest interest rate) will be approved.

LEGAL CONSIDERATIONS:

The Bonds are callable by the PBC upon instructions from the City. Bond Counsel prepared the Resolution (attached), which authorizes the PBC to proceed with the refunding process.

RECOMMENDATION:

MOTION: Move to approve the “sale resolution” to authorize the sale of the 2016A Bonds (in order to refund the 2011 Bonds.)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF REFUNDING REVENUE BONDS (CITY GOVERNMENT COMPLEX) OF THE CITY OF MAIZE, KANSAS PUBLIC BUILDING COMMISSION.

WHEREAS, pursuant to K.S.A. 12-1757 *et seq.* and K.S.A. 10-116a (the “Act”), the City of Maize, Kansas Public Building Commission (the “PBC”) has the authority to issue revenue bonds for the purpose of providing funds to acquire land and facilities of a revenue producing character, to lease such facilities to the City of Maize, Kansas (the “City”), and to issue its refunding revenue bonds to refund any previously issued PBC revenue bonds; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Improvement Revenue Bonds, Series A, 2006 (City Government Complex) in the original principal amount of \$4,200,000 (the “Series 2006 Bonds”) to pay the costs of acquiring land and constructing a city government complex in the City of Maize, Kansas; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Refunding revenue Bonds, Series A, 2011 (City Government Complex) in the original principal amount of \$4,280,000, of which \$4,005,000 remains outstanding (the “Series 2011 Bonds”) to refund the Series 2006 Bonds; and

WHEREAS, pursuant to the Act, the PBC has previously issued its Improvement Revenue Bonds, Series 2012A (Recreation Facility Addition) in original principal amount of \$300,000 (the “Series 2012 Bonds”) for the purpose of constructing and equipping an addition to the city government complex; and

WHEREAS, the city government complex is leased by the PBC to the City pursuant to a Lease Agreement dated as of May 15, 2006, as supplemented and amended by Supplemental Lease Agreement No. 1 dated as of April 1, 2011 and Supplemental Lease Agreement No. 2 dated as of October 1, 2012 (as supplemented and amended, the “Lease”); and

WHEREAS, the Series 2011 Bonds and Series 2012 Bonds are limited obligations of the PBC, payable solely from the revenues derived by the PBC pursuant to the Lease; and

WHEREAS, due to changing market conditions, it may be beneficial to the PBC and the City to authorize the PBC to issue refunding revenue bonds to refund all or a portion of the outstanding Series 2011 Bonds in order to achieve interest cost savings; and

WHEREAS, the outstanding Series 2011 Bonds maturing on and after May 1, 2017 are subject to optional redemption upon instructions from the City at any time on or after May 1, 2016, at a redemption price equal to the par value of the principal amount of such Series 2011 Bonds being redeemed, together with any interest accrued but unpaid thereon to the date fixed for redemption and payment, without premium; and

WHEREAS, the governing body of the City has requested that the Series 2011 Bonds maturing on and after May 1, 2017 in the aggregate principal amount of \$3,905,000 (the “Refunded Bonds”) be called for early redemption; and

WHEREAS, the PBC hereby finds and determines that it is advisable that the Refunded Bonds be called for early redemption and payment and that refunding revenue bonds be issued by the PBC pursuant to the Act in one or more series for the benefit of the City, subject to the conditions hereinafter set forth; and

WHEREAS, the PBC has selected the firm of CityCode Financial, L.L.C., (“Financial Advisor”), as financial advisor for issuance of said refunding revenue bonds; and

WHEREAS, the PBC desires to authorize the Financial Advisor to proceed with the offering for sale of said refunding revenue bonds; and

WHEREAS, one of the duties and responsibilities of the PBC is to prepare and distribute a preliminary official statement relating to said refunding revenue bonds; and

WHEREAS, the PBC desires to authorize the Financial Advisor, in conjunction with the Secretary to proceed with the preparation and distribution of a preliminary official statement and all other preliminary action necessary to sell said refunding revenue bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MAIZE, KANSAS PUBLIC BULDING COMMISSION AS FOLLOWS:

Section 1. The PBC is hereby authorized to offer for sale the PBC’s Refunding Revenue Bonds, Series 2016A (City Government Complex) (the “Series 2016A Bonds”) as described in the Notice of Bond Sale, which is hereby approved in substantially the form presented to the governing body this date. All proposals for the purchase of the Series 2016A Bonds shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Bond Sale, at which meeting the governing body shall review such bids and award of the sale of the Series 2016A Bonds or reject all proposals.

Section 2. The President and Secretary in conjunction with the Financial Advisor are hereby authorized to cause to be prepared a Preliminary Official Statement, and such officials and other representatives of the PBC are hereby authorized to use such document in connection with the sale of the Series 2016A Bonds.

Section 3. The Secretary, in conjunction with the Financial Advisor, representatives of the City and Gilmore & Bell, P.C., Wichita, Kansas (“Bond Counsel”), is hereby authorized and directed to give notice of said bond sale by distributing copies of the Notice of Bond Sale and Preliminary Official Statement to prospective purchasers of the Series 2016A Bonds. Bids for the purchase of the Series 2016A Bonds shall be submitted upon the terms and conditions set forth in the Notice of Bond Sale, and shall be delivered to the governing body at its meeting to be held on the sale date referenced in the Notice of Bond Sale, at which meeting the governing body shall review such bids and shall award the sale of the Series 2016A Bonds or reject all bids.

Section 4. For the purpose of enabling the purchaser of the Series 2016A Bonds (the “Purchaser”) to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the “Rule”), the President and Secretary or other appropriate officers of the PBC are hereby authorized: (a) to approve the form of said Preliminary Official Statement, and to execute the “Certificate Deeming Preliminary Official Statement Final”, in substantially the form attached hereto as *Exhibit A*, as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the PBC's approval thereof; (b) covenant to provide or cause to be provided continuous secondary market disclosure by annually transmitting certain financial information and operating data and

other information necessary to comply with the Rule to the Municipal Securities Rulemaking Board; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule.

Section 5. The PBC agrees to provide to the Purchaser within seven business days of the date of the sale of Series 2016A Bonds or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The President, Secretary and the other officers and representatives of the PBC, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the sale of the Series 2016A Bonds.

Section 7. The officers and representatives of the PBC are hereby authorized and directed to take such action as may be necessary, after consultation with Bond Counsel, to provide for notice of redemption of the Refunded Bonds.

Section 8. This Resolution shall be in full force and effect from and after its adoption.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the City of Maize, Kansas Public Building Commission on March 21, 2016.

(SEAL)

President

ATTEST:

Secretary

March 2016



Monthly Council Report

Department Highlights

- All departmental operations are functioning normally.
- The monthly SRO report is attached to this report.
- We have begun implementing the added security procedures for city hall. Most notably is the access to the city hall lobby. All persons wishing to enter city hall are required to be “buzzed in” after the front desk staff has visually identified them and their nature of business has been established. We feel these extra measures will enhance the overall security of staff and patrons at city hall. Permanent signage and updated electronic features will be added to enhance the process.
- The Police departments new records management system (RMS) has been installed and employees have been trained on the new system. Our tentative “go live” date is set for March 15th, 2016.

Budget status: Not available—will update at meeting

Major purchases:

None

Current Staff Levels.

12 Full-time

2 Part-time

2 Reserve

2 Reserve -Vacant

Monthly Activities

February Police Reports - 178

February calls for service - 522

Community Policing:

Working with local business on security planning issues.

PUBLIC WORKS REPORT 3-15-2016

Regular Maintenance

- Graded the gravel streets a couple of times so far this month. Installed road gravel along a portion of Tyler Road north of 61st. Was getting pretty muddy. All other gravel streets are holding up pretty well.
- Swept most every street in town this past month. The new sweeper really makes cleaning the streets nice.
- Water Meter reading monthly as well as wastewater and water sampling daily continue. Brush pick-up continues. That is picking up as spring approaches. Almost mowing season. We have gotten the mowers ready and prepared for the new season.

Special Projects

- The new building is almost ready to move into. Should be in it by March 21st if things go well. We are all getting pretty excited as it is a very nice building that will house all of our equipment as well as nice office and kitchen space.
- Finished the sidewalk along Irma from James west to the end. Think it is very efficient for the school kids and the public as well. I am getting bids for the sidewalk/bike path along 45th from Maize Road to Derringer. A lot of obstacles to overcome in that stretch of sidewalk.
- The splash park is underway. Laying out the profile and will begin in earnest to build it and have it ready for the summer.
- We have our orders to pick up many trees and shrubs for the Cemetery and hope to have them picked up and planted before Arbor Day this year. Watering trees mowing and weed-eating will begin very soon.
- Cleaned more of the ditch along 45th east of Plantation last week. We need to get that cleaned around the curve to the little pond that crosses the Railroad but that will take a little time.

Ron Smothers
Public Works Director

City Engineer's Report

3/21/2016

Public Works Facility

Final inspections are scheduled for this week.

Aero-Tech

Aero-Tech is scheduled to move in next week

Maize Middle School

Construction has slowly started on the Maize Middle School addition.

Splash Park

The construction team is on-site and setting foundations.

PLANNING ADMINISTRATOR'S REPORT

DATE: **March 21, 2016**

TO: **Maize City Council Members**

FROM: **Kim Edgington, Planning Administrator**

RE: **Regular March City Council Meeting**

The following is a summary intended to keep the Council apprised of the status of ongoing planning projects.

1. Watercress Apartment development – The City Council approved the one-step final plat for this property at a special meeting on February 24, 2016. The plat has been taken to the Sedgwick County Register of Deeds for recording.
2. Zone change and Community Unit Plan – for approximately 12.4 acres on the south side of 53rd Street, ¼ mile east of K-96 Highway. Zone change to Limited Commercial with a Community Unit Plan (CUP). The Planning Commission recommended approval of this request at their January meeting. The Council approved this request at their February meeting. The one-step final plat is on the current agenda for your review.
3. Zone change application and one-step final plat – for 23.76 acres on the west side of Maize Road approximately 1/3 mile south of 45th Street. This property is currently zoned LC Limited Commercial and is proposed to be down-zoned to MF-29 Multi-Family Residential for an apartment development. The plat and rezoning request will be reviewed by the Planning Commission on April 7th.
4. General planning issues – I continue to meet, both on the phone and in person, with citizens and developer's representatives requesting information on general planning matters, such as what neighboring property owners are planning to do, what they are allowed to do on their property, and what the process is for submitting various applications and materials to the Planning Commission.



**City Clerk Report
REGULAR COUNCIL MEETING
March 21, 2016**

Year to date status (Through 01/31/16):

General Fund –			
	Budget	YTD	
Rev.	\$3,065,844	\$1,128,666	36.81%
Exp.	\$3,369,786	\$ 586,677	17.41%
Streets –			
Rev.	\$287,420	\$ 51,782	18.02%
Exp.	\$294,100	\$ 54,248	18.45%
Wastewater Fund-			
Rev.	\$714,000	\$ 133,471	18.69%
Exp.	\$714,000	\$ 133,037	18.63%
Water Fund-			
Rev.	\$769,500	\$ 126,409	16.43%
Exp.	\$769,500	\$ 128,720	16.73%

Health & Dental Benefits

Per Council's request, here are the 2016 numbers (through 02/29/2016) for employee health, dental, and life (including accidental death and short-term disability).

	<u>City Portion</u>	<u>Employee Portion</u>	<u>Total Paid</u>
Health:	\$ 54,428.67	\$ 13,610.09	\$ 68,038.76
Dental:	3,583.20	896.12	4,479.32
Life:	<u>1,513.86</u>	<u>0</u>	<u>1,513.86</u>
	\$ 59,525.73	\$ 14,506.21	\$ 74,031.94

Dugan Park Funds

Per Council's request, the following is a breakdown of the Dugan Park funds (as of 02/29/2016)

Starting Balance:	\$304,736.57
Phase II Playground Equipment:	- 18,563.00
Master Park Plan:	- 10,000.00
Park Equipment:	- 8,000.00
Community Building Remodel:	- 36,580.00
Emergency Lighting Upgrade	- 1,057.47
Playground Signs (5-12 year old):	- 120.00
Volunteer Supplies:	- 19.12
Soap/Towel Dispensers:	- 454.56
Epoxy for Picnic Tables:	- 71.33
New Ceiling Registers:	- 123.33
Parts to Install Picnic Tables:	- 44.33
Concrete to Install Benches:	- 13.16
Ceiling Fans, Wall Plates:	- 171.44
Guttering for Comm. Building	- 955.50
New Chairs for Comm. Building	- 558.82
Appliances for Comm. Building	- 1,313.94
Electrical Receptacles at Park	- 1,679.21
Skate Park Equipment	- 7,214.04
Supplies to Install Equipment	- 871.80
Signs for Skate Park	- 340.00
Clean Up/Repair Bathrooms	- 127.49
Park Shelters	- 52,443.10
Skate Park Equipment	- 28,990.38
Removal of Light Poles	- 11,600.00
Skate Park Installation	- 24,478.30
<u>Splash Pad/Restroom Project</u>	<u>- 26,549.07</u>
Remaining Balance:	\$ 92,316.30

2015 Audit:

Randy Ford, with Busby, Ford & Reimer, will present the 2015 Audit report at the April 18, 2016 Council meeting.

Equipment Reserve 2016 (As of 2/29/2016)

<u>Detail</u>	<u>Reason</u>	<u>February Revenue</u>	<u>February Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/16					\$ 114,563.11
Interest	From Bank Accounts	26.80		300.00	43.50
Other Revenues	Sale of PD Radios	-			7,600.00
Reimbursements	<u>Sale of Car #909</u>	-		-	10,000.00
Transfers	From General Fund	19,166.67		230,000.00	38,333.34
Total Revenues		<u>\$ 19,193.47</u>		<u>\$ 230,300.00</u>	<u>\$ 55,976.84</u>
Total Resources					<u>\$ 170,539.95</u>
Trucks/Heavy Equipment			\$ 29,378.00	\$ 100,000.00	\$ 74,722.30
Computers			-	50,000.00	3,654.00
Computers	Phone Upgrades-2015 Encumbrance				23,010.00
Police Department Expenses			8,522.00	80,000.00	8,576.69
Total Expenditures			<u>\$ 37,900.00</u>	<u>\$ 230,000.00</u>	<u>\$ 109,962.99</u>
Cash Balance - 02/29/2016					<u>\$ 60,576.96</u>

CIP 2016 (As of 02/29/2016)

<u>Detail</u>	<u>Reason</u>	<u>February Revenue</u>	<u>February Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/16					\$ 352,451.28
Ad Valorem	Tax			-	-
Motor Vehicle	Tax			-	-
Delinquent	Tax	-		100.00	-
Interest	From Bank Accounts	307.13		1,500.00	498.36
Maize Rec	Splash Park Contribution	-			25,000.00
Transfers	From General Fund	40,666.67		488,000.00	81,333.34
Total Revenues		<u>40,973.80</u>		<u>489,600.00</u>	<u>106,831.70</u>
Total Resources					<u><u>459,282.98</u></u>
Street Improvements			-	375,000.00	123,309.65 **
Sidewalk/Bike Paths				75,000.00	-
Park Improvements			13,065.39	215,000.00	13,065.39
Other Capital Costs			-	-	-
Total Expenditures			<u>-</u>	<u>665,000.00</u>	<u>136,375.04</u>
Cash Balance - 02/29/16					<u><u>\$ 322,907.94</u></u>

**Encumbered in 2015 Budget

CAPITAL PROJECTS

Projects w/o
Temp Notes

Project	Fund	Resolution of Advisability	Total Resolution Amount	Expenditures thru 12/31/15	Expenditures 1/1/16 thru 2/29/16	Total Expenditures	Resolution Authorization Less Expenditures
Eagles Nest Phase 2A Water	05	556-14	\$ 104,000.00	\$ 100,801.81	\$ -	\$ 100,801.81	\$ 3,198.19
Eagles Nest Phase 2A Paving	05	555-14	\$ 515,000.00	\$ 440,221.49	\$ -	\$ 440,221.49	\$ 74,778.51
Eagles Nest Phase 2 Sanitary Sewer	05	547-14	\$ 240,000.00	\$ 168,429.73	\$ -	\$ 168,429.73	\$ 71,570.27
Maize Ind Park Water	05	565-14	\$ 63,700.00	\$ 61,484.69	\$ -	\$ 61,484.69	\$ 2,215.31
Maize Ind Park Sanitary Sewer	05	566-14	\$ 97,600.00	\$ 66,099.75	\$ -	\$ 66,099.75	\$ 31,500.25
Totals			\$ 1,020,300.00	\$ 837,037.47	\$ -	\$ 709,453.03	\$ 149,546.97

MPBC Project	Fund	Resolution	Total Resolution Amount	Expenditures thru 12/31/15	Expenditures 1/1/16 thru 2/29/16	Total Expenditures	Resolution Authorization Less Expenditures
Public Works Building	05	MPBC 14-15	\$ 1,050,000.00	\$ 459,143.49	\$ 180,998.19	\$ 640,141.68	\$ 869,001.81
Grand Total				\$1,296,180.96	\$180,998.19	\$1,349,594.71	\$1,018,548.78



CITY OPERATIONS REPORT

DATE: March 16, 2016

TO: Maize City Council

FROM: Richard LaMunyon-Becky Bouska-Sue Villarreal-Jolene Allmond

RE: March Report

Not a great deal of new information to be reported in this months report. City operations are moving along at a rapid and smooth pace. Some brief items to report include.

- 1) **Council/Planning Commission/Park & Tree Board Workshop**
Scheduled for March 28th @ 6pm. This will be a general dialogue and communication opportunity. All areas of city operations will be open for discussion. No action will be taken. A meal will be served for attendees @ 5:30pm
- 2) **Trailer Parks Law Suit**
No new information is available.
- 3) **City Hall Security Upgrade**
New entrance cameras and intercom is scheduled for this Friday. Chief Jensby will address update policy and emergency procedures at the employee meeting on Tuesday.
- 4) **City Meetings**
 - March 21st - Council @ 7pm
 - March 28th - Council/Planning/Park @ 6pm
 - April 7th - Planning @ 7pm
 - April 12th - Park & Tree @ 5:30pm
 - April 18th - Council @ 7pm