

**MEETING NOTICE
MAIZE CITY COUNCIL
REGULAR MEETING**

TIME: 7:00 P.M.
DATE: MONDAY, February 20, 2017
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 January 16, 2017 and Special Meeting of February 1, 2017.
 - b) Receive and file minutes from the Planning Commission meeting of December 1, 2016.
 - c) Receive and file minutes from the Park and Tree Board meeting of January 10, 2017.
 - d) Cash Disbursements from January 1, 2017 thru January 31, 2017 in the amount of \$768,358.58 (Check #63709 thru #64024)
- 7) Old Business
 - A. Master Park Plan

**** Recess Regular Council Meeting & open Public Hearing**

- 8) Public Hearing for proposed tax incentives to be provided for Kyodo Yushi Manufacturing Americas, LLC

➤ *Members of the public, not associated with this proposed project, may speak to this item at this time*

**** Close the Public Hearing & reconvene the Regular Council Meeting**

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, February 20, 2017**

- 2 -

- 9) New Business
 - A. Kyodo Yushi Manufacturing Americas, LLC Economic Incentives
 - B. Vacation of Street Right-of-Way at 6055 N Maize Road

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

- 11) Executive Session

- 12) Adjournment

**MINUTES-REGULAR MEETING
MAIZE CITY COUNCIL
Monday, January 16, 2017**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **January 16, 2017** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Council members present were **Karen Fitzmier, Donna Clasen,** and **Alex McCreath. Kevin Reid** and **Pat Stivers** were 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, **Kim Edgington**, Planning Administrator, **Tom Powell**, City Attorney and **Jolene Graham**, Executive Assistant.

APPROVAL OF AGENDA:

The Agenda was submitted for 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 – Regular Council Meeting of December 19, 2016.
- b) Receive and file the Park Board minutes of December 13, 2016.
- c) Cash Disbursements from December 1, 2016 through December 31, 2016 in the amount of \$498,402.18 (Check #63586 through #63708).
- d) Adopt the GAAP Waiver Resolution for 2016 in accordance with K.S.A. 75-1120a (a).
- e) Approval of Halstead Ban as the City's Official Depository for 2017 and selection of The Clarion as the City's Official Newspaper for 2017.

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

City Clerk assigned Resolution #589-16 (GAAP Wavier Resolution).

TYLER ROAD SPEED LIMIT:

An ordinance amending Section 14-102 of the City Code to reduce the speed limit on Tyler Road from 55 mph to 45 mph was submitted for Council approval.

MOTION: **Fitzmier** moved to adopt the ordinance that amends City Code 14-102 reducing the speed limit on Tyler Road from 55 mph to 45 mph from Candlewood Street on the south to 53rd Street on the north.
McCreath seconded. Motion declared carried.

City Clerk assigned Ordinance #929.

2017 MASTER PARK PLAN:

Council members received the 2017 Master Park Plan for review. Action will be taken at the February 20, 2017 Council meeting.

ADJOURNMENT:

With no further business before the Council,

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

Respectfully submitted by:

Jocelyn Reid, City Clerk
City of Maize, Kansas

**MINUTES-SPECIAL MEETING
MAIZE CITY COUNCIL
Wednesday, February 1, 2017**

The Maize City Council met in a special meeting at 11:00 a.m., **Wednesday, February 1, 2017** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Councilmembers present were **Donna Clasen**, **Pat Stivers** and **Alex McCreath**. **Karen Fitzmier** 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 and **Jolene Graham**, Executive Assistant.

APPROVAL OF AGENDA:

The agenda was submitted for Council approval.

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

ANNEXATION ORDINANCE:

An ordinance annexing property located in the Maize Industrial Park into the City was submitted for Council approval.

MOTION: **Clasen** moved to approve the “1735 S. Maize Road, LLC” annexation ordinance and authorize the Mayor to sign.
McCreath seconded. Motion declared carried.

City Clerk assigned Ordinance #928.

ADJOURNMENT:

With no further business before the Council,

MOTION: **Clasen** moved to adjourn.
Stivers 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, DECEMBER 1, 2016**

The Maize City Planning Commission was called to order at 7:00 p.m., on Thursday, December 1, 2016, for a Regular Meeting with *Bryan Aubuchon*, presiding. The following Planning Commission members were present: *Mike Burks, Bryant Wilks, Andy Sciolaro, Bryan Aubuchon* and *Jennifer Herington*. Not present was *Dennis Downes*. Also present were *Sue Villarreal*, Recording Secretary; *Kim Edgington*, Planning Administrator; *Graham Smith*, Gould Evans.

APPROVAL OF MINUTES

MOTION: *Burks* moved to approve the October 6, 2016 minutes as presented.
Sciolaro seconded the motion.
Motion carried unanimously.

NEW BUSINESS – PLANNING COMMISSION

COMPREHENSIVE PLAN REVIEW


Graham Smith was present to discuss changes and updates to the Comprehensive Plan. Topics included residential and commercial growth, economic and community development, parks and recreation and infrastructure. A survey for Maize residents will be drafted and reviewed at the January 12, 2017 meeting.

ADJOURNMENT:

MOTION: With no further business before the Planning Commission,
Burks moved to adjourn.
Wilks seconded the motion
Motion carried unanimously.

Meeting adjourned at 8:57 PM.


Sue Villarreal
Recording Secretary


Bryan Aubuchon
Chairman

**MINUTES – REGULAR MEETING
MAIZE PARK AND TREE BOARD
Tuesday, January 10th, 2017**

The Maize Park and Tree Board met in a regular meeting at 5:30 pm, Tuesday, January 10th, 2017 with *Chair Jennifer Herington* presiding. Board members present were *Vice-Chair Dennis Wardell, Secretary Marina Fulton, Hugh Nicks, Nancy Scarpelli, Patrick Atchison* and *Joshua Belcher*.

Also present was: *Richard LaMunyon*, City Administrator and *Jolene Graham*, Recording Secretary.

APPROVAL OF AGENDA:

The Agenda was submitted for Board approval.

MOTION: *Nicks* moved to approve the agenda.
Scarpelli seconded. Motion declared carried.

APPROVAL OF THE DECEMBER 13TH, 2016 MINUTES:

The Park and Tree Board Meeting Minutes of December 13th, 2016 were submitted for approval.

MOTION: *Scarpelli* moved to approve the minutes.
Fulton seconded. Motion declared carried.

2017 GARDEN TOUR

The details of hosting a Garden Tour per the Master Plan were extensively discussed.

MOTION: *Atchison* moved for a Garden Tour to be held. No second was made.

After more discussion, a subcommittee consisting of *Scarpelli, Nicks,* and *Belcher* was created with the assignment to do more research and report back to the board at the February 14th, 2017 meeting.

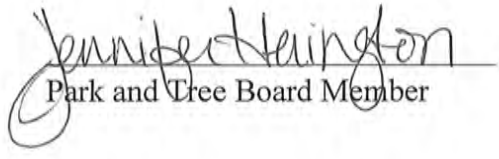
ADJOURNMENT:


With no further business before the Board:

MOTION: *Fulton* motioned to adjourn.
Atchison seconded. Motion declared carried.

Meeting adjourned at 6:55 pm

Approved by the Park and Tree Board on Feb 14th 2017.


Park and Tree Board Member


Recording Secretary

CITY OF MAIZE
Bank Reconciliation Report
For January 2017

Fund Balances

FUND	NAME	BEGIN		END	
		PERIOD	RECEIPTS	DISBURSEMENTS	PERIOD
01	General Fund	\$ 245,878.60	\$ 1,133,086.62	\$ 392,263.14	\$ 986,702.08
02	Street Fund	156,780.93	44,944.76	31,264.27	170,461.42
04	Capital Improvements Fund	88,378.56	38,745.61	47,062.63	80,061.54
05	Long-Term Projects	(68,396.36)	-	208,594.57	(276,990.93)
10	Equipment Reserve Fund	96,339.29	11,702.56	43,414.30	64,627.55
11	Police Training Fund	3,546.84	436.50	-	3,983.34
12	Municipal Court Fund	27,412.81	2,506.29	300.00	29,619.10
16	Bond & Interest Fund	118,146.83	878,864.09	55,572.29	941,438.63
19	Wastewater Reserve Fund	167,998.26	3,000.00	-	170,998.26
20	Wastewater Treatment Fund	725,810.14	66,397.95	69,940.98	722,267.11
21	Water Fund	537,186.74	73,597.53	72,347.42	538,436.85
22	Water Reserve Fund	171,148.81	3,000.00	-	174,148.81
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	(930.54)	2,952.25	913.11	1,108.60
76	Bond Refundings	(57,891.37)	-	-	(57,891.37)
80	2016 Water Refunding	-	114,410.55	4,320.00	110,090.55
98	Maize Cemetery	147,382.67	5,622.93	894.25	152,111.35
Totals All Fund		\$ 2,776,996.87	\$ 2,379,267.64	\$ 926,886.96	\$ 4,229,377.55

Bank Accounts and Adjustments

Halstead Checking Account	\$ 546,017.98	\$ 2,153,656.12	\$ 2,320,810.18	\$ 378,863.92
Outstanding Items				\$ (112,099.99)
Halstead Bank Money Market Account	2,156,392.36	1,654,109.91	-	3,810,502.27
Maize Cemetery CD 85071	91,302.69	232.22	-	91,534.91
Maize Cemetery Operations	56,054.02	5,416.67	894.25	60,576.44
Totals All Banks	\$ 2,849,767.05	\$ 3,813,414.92	\$ 2,321,704.43	\$ 4,229,377.55

CITY OF MAIZE
Cash and Budget Position
Thru January 31, 2017

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	\$ 245,878.60	\$ 1,133,086.62	\$ 392,263.14	\$ 986,702.08	\$ 3,375,058.00	\$ 1,133,086.62	\$ 392,263.14	\$ 2,982,794.86	88.38%
02	Street Fund	156,780.93	44,944.76	31,264.27	170,461.42	308,050.00	44,944.76	31,264.27	276,785.73	89.85%
04	Capital Improvements Fund	88,378.56	38,745.61	47,062.63	80,061.54	650,000.00	38,745.61	47,062.63	602,937.37	92.76%
05	Long-Term Projects	(68,396.36)	-	208,594.57	(276,990.93)	-	-	208,594.57	-	-
10	Equipment Reserve	96,339.29	11,702.56	43,414.30	64,627.55	136,000.00	11,702.56	43,414.30	92,585.70	68.08%
11	Police Training Fund	3,546.84	436.50	-	3,983.34	2,000.00	436.50	-	2,000.00	100.00%
12	Municipal Court Fund	27,412.81	2,506.29	300.00	29,619.10	-	2,506.29	300.00	-	-
16	Bond & Interest Fund	118,146.83	878,864.09	55,572.29	941,438.63	2,425,096.00	878,864.09	55,572.29	2,369,523.71	97.71%
19	Wastewater Reserve Fund	167,998.26	3,000.00	-	170,998.26	-	3,000.00	-	-	-
20	Wastewater Treatment Fund	725,810.14	66,397.95	69,940.98	722,267.11	768,863.00	66,397.95	69,940.98	698,922.02	90.90%
21	Water Fund	537,186.74	73,597.53	72,347.42	538,436.85	779,925.00	73,597.53	72,347.42	707,577.58	90.72%
22	Water Reserve Fund	171,148.81	3,000.00	-	174,148.81	-	3,000.00	-	-	-
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	(930.54)	2,952.25	913.11	1,108.60	-	2,952.25	913.11	-	-
76	Bond Refundings	(57,891.37)	-	-	(57,891.37)	-	-	-	-	-
80	2016 Water Refunding	-	114,410.55	4,320.00	110,090.55	-	114,410.55	4,320.00	-	-
98	Maize Cemetery	147,382.67	5,622.93	894.25	152,111.35	150,948.00	5,622.93	894.25	150,053.75	99.41%
Report Totals		\$ 2,776,996.87	\$ 2,379,267.64	\$ 926,886.96	\$ 4,229,377.55	\$ 8,595,940.00	\$ 2,379,267.64	\$ 926,886.96	\$ 7,883,180.72	91.71%

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 20, 2017**

AGENDA ITEM #7A

ITEM: 2017 Master Park Plan

BACKGROUND:

The 2009 Master Park plan was schedule for review and updating beginning in 2016.

The Park and Tree board has spent their monthly meetings from August through October 2016 in developing the 2017 Master Park Plan for Council consideration.

During the process the entire 2009 master plan was reviewed resulting in modifications in several areas. The process was rich with research and discussion.

On December 13, 2016 the Park & Tree Board approved the plan and recommended the 2017 Master Park Plan to be presented to the City Council for their approval and implementation. Each Council member has received a copy of the recommended plan for review.

This item was presented for discussion during the January 16th Council meeting. No changes have been made since that time.

FINANCIAL CONSIDERATIONS:

The Master Park Plan is a planning document. By adopting this plan, it does not commit the City Council to future funds if none are available.

LEGAL CONSIDERATIONS:

None

RECOMMENDATION/ACTION:

Approve the 2017 Master Park Plan.

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 20, 2017**

AGENDA ITEM 9A

ITEM: Approval of Ad Valorem Property Tax Abatement

BACKGROUND:

Kyodo Yushi Manufacturing Americas, LLC (the “Company”), a joint venture between Lubrication Engineers, Inc. and a Japanese manufacturing company, is purchasing property in the Maize Industrial Park, north of the Reiloy USA Building.

The Company intends to construct and equip an approximately 65,000 square foot manufacturing facility at an estimated cost of \$35,000,000 for the manufacture of lubricants. The Company intends to employ 5 full time employees at the Maize facility, plus an additional 30 contract employees.

Article 11, Section 13 of the Kansas Constitution empowers the City to grant property tax exemptions to businesses which meet the constitutional criteria. City staff has determined the Company meets such constitutional criteria and also meets the City’s criteria for the granting of tax incentives as set forth in its EDX Policy dated December 16, 2013.

The proposed tax incentive is a 76.50% abatement for an initial term of five years, plus an additional five years subject to review and approval of the then governing body of the City, beginning the calendar year after the year the facility is completed.

Kansas statutes require a public hearing be held on any proposed property tax abatement and that a cost/benefit analysis be prepared comparing the cost of the abatement to the financial benefits of the proposed project. Notice of the public hearing was published on February 9, 2017. Notice of the public hearing was also provided to the Sedgwick County Commissioners and USD 266 School Board.

The cost/benefit was prepared by the Center for Economic Development and Business Research at WSU and was completed on January 18, 2017.
A copy is included under this agenda item.

The items for action today are:

(1) consideration of a Resolution finding that the Company intends to use the facility exclusively in its business of manufacturing articles of commerce, as required by Article 11, Section 13 of the Kansas constitution; and

(2) consideration of an Ordinance approving the tax abatement and authorizing the execution of an Economic Development Incentive Agreement (the “Agreement”) with the Company.

In the Agreement, the Company agrees that that tax incentive is contingent upon the following:

- Constructing a manufacturing facility with a capital investment of \$35,000,000
- Employing at least 5 full time employees at an average wage equal to or greater than the average wage paid by business in the Wichita Metropolitan Statistical Area with the Company's NAICS classification
- Making an annual payment in lieu of taxes equal to 23.50% of the ad valorem taxes otherwise due on the Facility
- Complying with the City's audit procedures

FINANCIAL CONSIDERATIONS:

The Company has agreed to pay all costs associated with the requested tax incentive.

LEGAL CONSIDERATIONS:

Bond Counsel prepared the Resolution, the Ordinance and the Agreement and approves them as to form

Kim Bell will be at the Council meeting to outline the abatement process.

RECOMMENDATION/ACTION:

Adopt the Resolution making the required findings; Pass the Ordinance approving a 76.50% ad valorem tax abatement and authorizing the execution and delivery of the Economic Development Incentive Agreement.



Center for Economic Development and Business Research
 Wichita State University
 1845 Fairmount St.
 Wichita, Kansas 67260-0121
 (316) 978-3225

DATE OF ANALYSIS 1/18/2017
TIME OF ANALYSIS 9:59 AM
VERSION OF ANALYSIS V7

PROJECT SUMMARY (no multipliers, no substitution)	
Company Name	Kyodo Yushi Manufacturing Americas LLC
Number of new jobs for 10-year period	35
Amount of payroll for 10-year period	\$15,630,453
Amount of capital investment for 10-year period	\$36,395,500
Land	\$800,000
Buildings	\$22,575,500
Machinery and Equipment	\$13,020,000

INCENTIVE SUMMARY	
City Incentives - Maize	1,870,741
Tax abatement	1,869,991
Sales tax exemption	751
Forgivable loans	0
Infrastructure	0
Cash value all other incentives	0

County Incentives - Sedgwick	1,309,222
Tax abatement	1,276,922
Sales tax exemption	32,300
Forgivable loans	0
Infrastructure	0
Cash value all other incentives	0

State Incentives	1,668,047
Tax abatement	934,344
Sales tax exemption	733,704
Forgivable loans	0
Training dollars	0
Infrastructure	0
Cash value all other incentives	0

School District Incentives - 266 Maize	611,930
Tax abatement	611,930



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VERSION OF ANALYSIS V7

TAX ABATEMENT PARAMETERS	
<i>Real Property</i>	
Number of years	10
Percentage	77.0%
<i>Personal Property</i>	
Number of years	0
Percentage	0.0%

CONSTRUCTION IMPACTS	
Jobs Multiplier	1.6958
Earnings Multiplier	1.5176

Direct jobs	218
Direct payroll earnings	\$11,287,750

Total jobs	369
Total payroll earnings	\$17,130,289

SUBSTITUTION	
Firm NAICS code	324190 Other petroleum and coal products manufacturing
Substitution percentage applied to firm operations	0.0%

FIRM MULTIPLIERS (On-going Operations)	
Jobs	2.6272
Earnings	2.0142

ECONOMIC IMPACT OF FIRM OPERATIONS	
<i>Number of jobs 10-year period</i>	
Direct	35
Total	92

<i>Payroll earnings for 10-year period</i>	
Direct	\$15,630,453
Total	\$31,482,858



DATE OF ANALYSIS 1/18/2017
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FISCAL IMPACT	
City Fiscal Impacts. - Maize	
	Discounted
Present value of net benefits	\$466,147
<i>Rate of Return on Investment</i>	
Net public benefits 10-year period	\$466,147
Public costs 10-year period	\$1,555,948
ROI	30.0%
<i>Benefit-Cost Ratio</i>	
Public benefits 10-year period	\$2,022,095
Public costs 10-year period	\$1,555,948
Benefit-Cost Ratio	1.30

County Fiscal Impacts. - Sedgwick	
	Discounted
Present value of net benefits	\$386,383
<i>Rate of Return on Investment</i>	
Net public benefits 10-year period	\$386,383
Public costs 10-year period	\$1,094,266
ROI	35.3%
<i>Benefit-Cost Ratio</i>	
Public benefits 10-year period	\$1,480,649
Public costs 10-year period	\$1,094,266
Benefit-Cost Ratio	1.35

State Fiscal Impacts	
	Discounted
Present value of net benefits	\$3,494,922
<i>Rate of Return on Investment</i>	
Net public benefits 10-year period	\$3,494,922
Public costs 10-year period	\$1,510,760
ROI	231.3%
<i>Benefit-Cost Ratio</i>	
Public benefits 10-year period	\$5,005,682
Public costs 10-year period	\$1,510,760
Benefit-Cost Ratio	3.31

School District Fiscal Impacts. - 266 Maize	
	Discounted
Present value of net benefits	\$152,014
<i>Rate of Return on Investment</i>	
Net public benefits 10-year period	\$152,014
Public costs 10-year period	\$508,918
ROI	29.9%
<i>Benefit-Cost Ratio</i>	
Public benefits 10-year period	\$660,932
Public costs 10-year period	\$508,918
Benefit-Cost Ratio	1.30

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

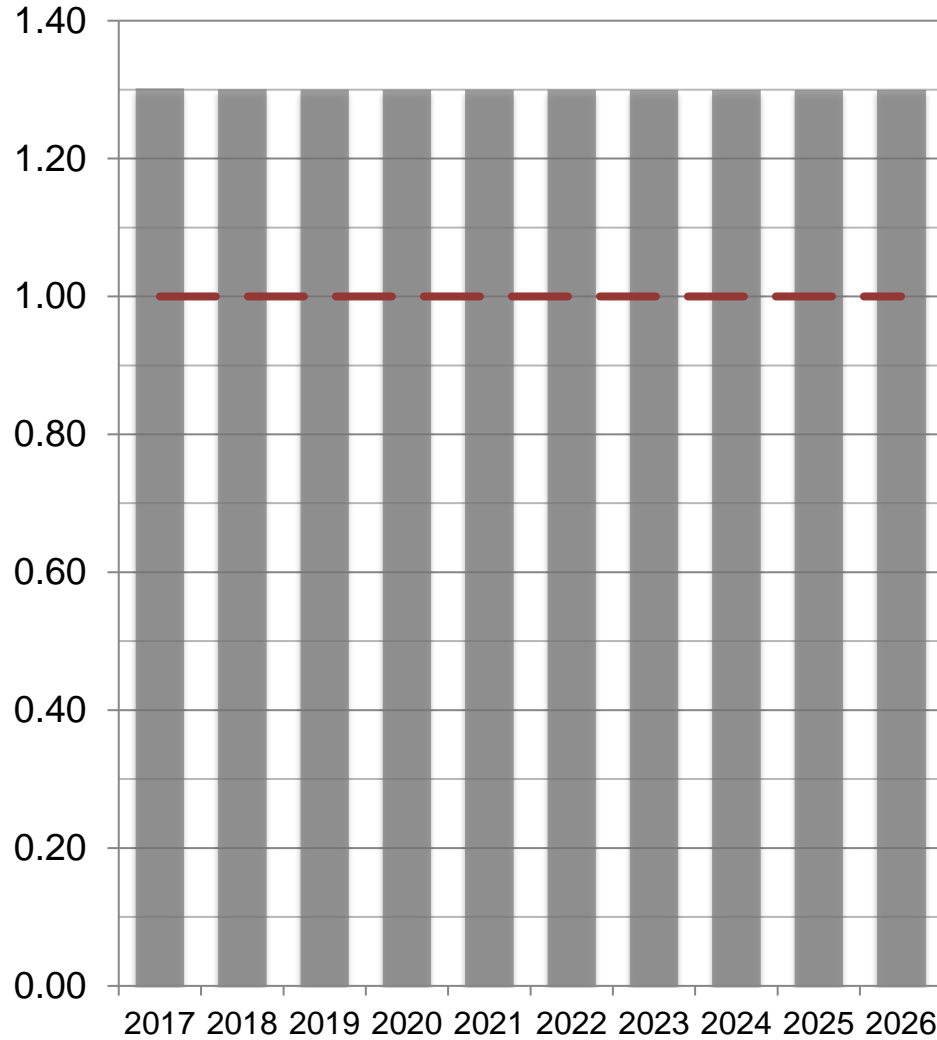
This analysis requires CEDBR to make predictive forecasts, estimates and/or projections (hereinafter collectively referred to as “FORWARD-LOOKING STATEMENTS”). These FORWARD-LOOKING STATEMENTS are based on information and data provided by others and involve risks, uncertainties and assumptions that are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



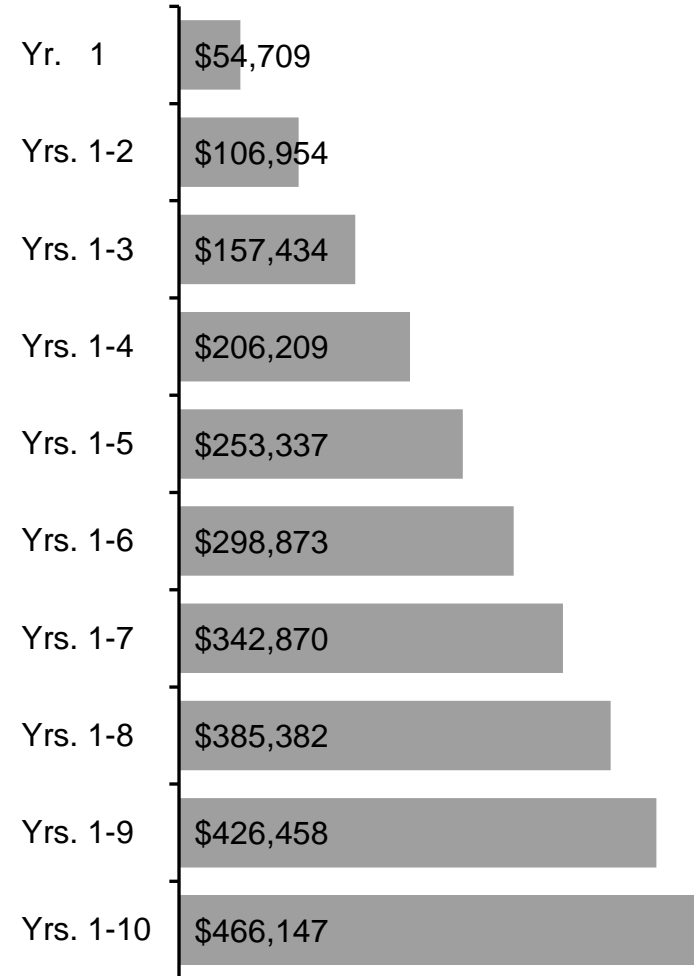
Center for Economic Development and Business Research
 Wichita State University
 1845 Fairmount St.
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 (316) 978-3225

Project or Company Name: Kyodo Yushi Manufacturing Americas LLC
 Date of Analysis: 1/18/2017
 Version of Analysis: V7
 City Fiscal Impacts. - Maize

Benefit-Cost Ratio



Present Value of Net Benefits

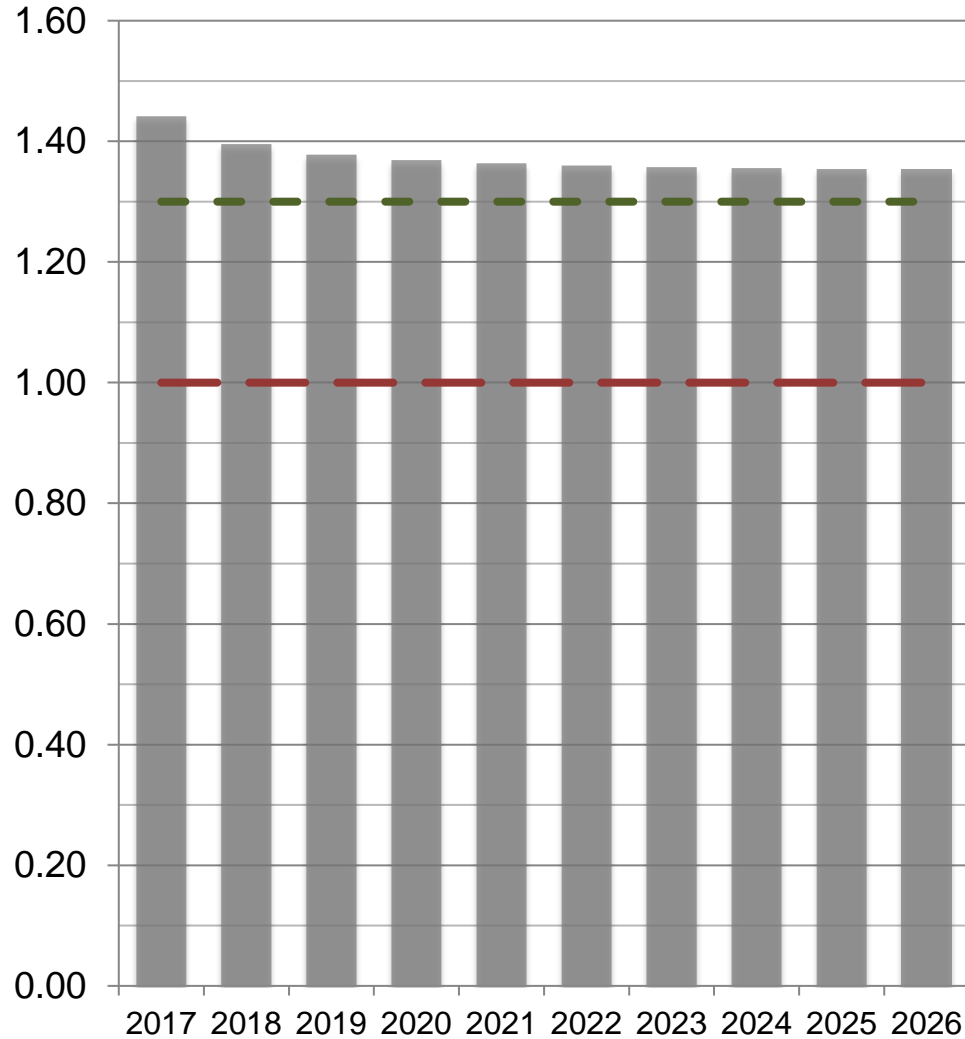




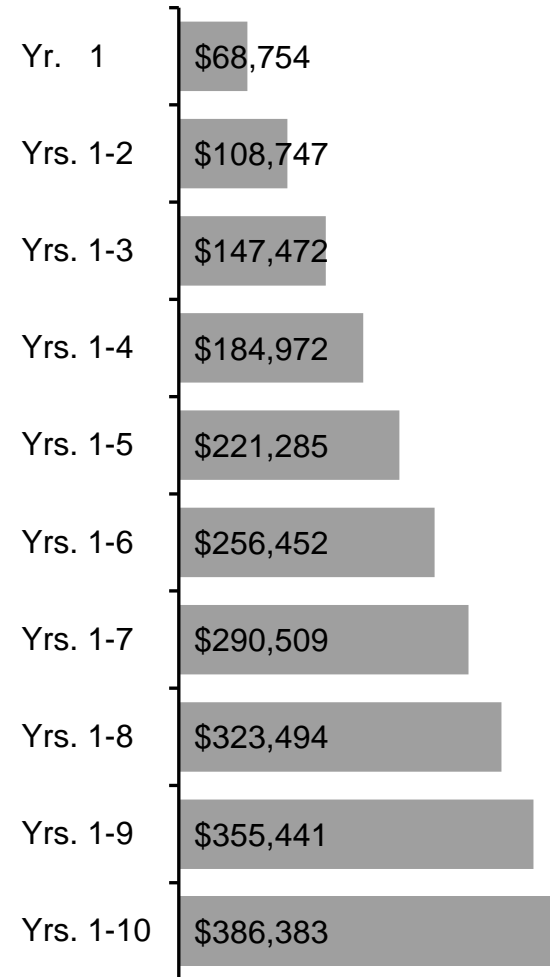
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Project or Company Name: Kyodo Yushi Manufacturing Americas LLC
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 County Fiscal Impacts. - Sedgwick

Benefit-Cost Ratio



Present Value of Net Benefits



CEDBR-FISCAL IMPACT MODEL FIRM DATA SHEET

COMPANY INFORMATION	
Company name or project name	Kyodo Yushi Manufacturing Americas LLC
Contact name	
Contact telephone number	
Contact e-mail address	
Company NAICS Code - <i>Please select a NAICS code from the list provided. Model parameters are set based on the NAICS selected.</i>	324190 Other petroleum and coal products manufacturing
Substitution Override	
Year of application	2016

SITE LOCATION - <i>If incentives are being requested for more than one physical location, and these locations are in different taxing jurisdictions, then a separate firm data sheet must be filled out for each location. If the property is located in a special taxing district or industrial zone, please contact CEDBR.</i>	
Street Address	
City	Maize
County	Sedgwick
School District	266 Maize

REAL PROPERTY CONSTRUCTION AND IMPROVEMENTS - <i>If construction is expected to significantly exceed 12-months allocate expenditures to multiple expansions.</i>	
Expansion #1	
Year of expansion	2017
<i>Market value of firm's initial NEW OR ADDITIONAL investment in:</i>	
Land	\$800,000
Building and improvements	\$22,575,500
Furniture, fixtures and equipment (including machinery)	\$13,020,000
<i>Initial construction or expansion:</i>	
Cost of construction at the firm's new or expanded facility	\$22,575,500
<i>Amount of taxable construction materials purchased in:</i>	
City	\$225,755
County (should include city amount)	\$11,287,750
State (should include city and county amounts)	\$11,287,750
<i>Amount of taxable furniture, fixtures and equipment purchased in:</i>	
City	
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	\$11,287,750
Expansion #2 (if applicable)	
Year of expansion	
<i>Market value of firm's initial NEW OR ADDITIONAL investment in:</i>	
Land	
Building and improvements	
Furniture, fixtures and equipment (including machinery)	
<i>Initial construction or expansion:</i>	
Cost of construction at the firm's new or expanded facility	
<i>Amount of taxable construction materials purchased in:</i>	
City	
County (should include city amount)	
State (should include city and county amounts)	
<i>Amount of taxable furniture, fixtures and equipment purchased in:</i>	
City	
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	

Expansion #3 (if applicable)	
Year of expansion	
<i>Market value of firm's initial NEW OR ADDITIONAL investment in:</i>	
Land	
Building and improvements	
Furniture, fixtures and equipment (including machinery)	
Initial construction or expansion:	
Cost of construction at the firm's new or expanded facility	
<i>Amount of taxable construction materials purchased in:</i>	
City	
County (should include city amount)	
State (should include city and county amounts)	
<i>Amount of taxable furniture, fixtures and equipment purchased in:</i>	
City	
County (should include city amount)	
State (should include city and county amounts)	
Total construction salaries	
OPERATIONS	
First Year of Full Operations As a Result of This Project	
<i>New or additional sales of the firm related to this project</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
<i>Percent of these sales subject to sales taxes in the:</i>	
City	
County	
State	
Annual net taxable income, as a percent of sales, on which state corporate income taxes will be computed:	
<i>New or additional purchases of the firm related to this project</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
<i>Percent of these purchases subject to sales/compensating use taxes in the:</i>	
City	
County	
State	

EMPLOYMENT	
<i>Number of NEW employees to be hired each year as a result of this project</i>	
Year 1	35
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
<i>Number of these employees moving to county each year FROM OUT-OF-STATE</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
<i>Number of these employees moving to county each year FROM OTHER KANSAS COUNTIES</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
<i>Weighted average annual salary of all NEW employees, including all employees hired to date, related to this project</i>	
Year 1	\$40,785
Year 2	\$41,601
Year 3	\$42,433
Year 4	\$43,281
Year 5	\$44,147
Year 6	\$45,030
Year 7	\$45,931
Year 8	\$46,849
Year 9	\$47,786
Year 10	\$48,742

VISITORS - Include customers, vendors and company employees from other locations in the count of visitors	
<i>Number of ADDITIONAL out-of-county visitors expected at the firm as a result of this project</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Number of days that each visitor will stay in the area	
Number of nights that a typical visitor will stay in a local hotel or motel	
Percentage of visitors traveling on business	
Percentage of visitors traveling for leisure	
Percentage of visitor's expenditures spent in the same city as firm's location	
Percentage of visitor's expenditures spent in the same county as firm's location	
Percentage of visitor's expenditures spent in Kansas	

PAYMENT BY THE COMPANY TO TAXINING JURISTICTIONS - Such as payments in lieu of taxes	
Firm payments to the City	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Firm payments to the County	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

Firm payments to the State of Kansas	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Firm payments to the School District	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

CEDBR-FISCAL IMPACT MODEL INCENTIVE INFORMATION

CONTACT INFORMATION FOR CEDBR REGARDING INCENTIVE AMOUNTS

Contact name	
Contact telephone number	
Contact e-mail address	

SALES TAX EXEMPTION ON CONSTRUCTION MATERIALS

Sales tax exemption EXPANSION #1 (please enter yes or no)	Yes
Percent of construction material costs funded by IRB for EXPANSION #1	100.0%
Sales tax exemption EXPANSION #2 (please enter yes or no)	No
Percent of construction material costs funded by IRB for EXPANSION #2	0.0%
Sales tax exemption EXPANSION #3 (please enter yes or no)	No
Percent of construction material costs funded by IRB for EXPANSION #3	0.0%

SALES TAX EXEMPTION FOR OPERATIONS

Value of sales tax exemption for OPERATIONS -- CITY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Value of sales tax exemption for OPERATIONS -- COUNTY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Value of sales tax exemption for OPERATIONS -- STATE	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

PROPERTY TAX ABATEMENT	
Property tax abatement - Real property land and buildings	
Number of Years	10
Percentage	77.0%
Property tax abatement - Machinery and equipment	
Number of Years	0
Percentage	0.0%

FORGIVABLE LOANS - Cash value	
Forgivable loans (cash value) -- CITY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Forgivable loans (cash value) -- COUNTY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Forgivable loans (cash value) -- STATE	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

STATE TRAINING DOLLARS	
Training dollars KIT/KER/IMPACT (cash value)	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

INFRASTRUCTURE IMPROVEMENTS	
Infrastructure improvements (cash value) -- CITY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Infrastructure improvements (cash value) -- COUNTY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Infrastructure improvements (cash value) -- STATE	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

OTHER INVENTIVES - Cash value	
Cash value of all other incentives -- CITY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Cash value of all other incentives -- COUNTY	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Cash value of all other incentives -- STATE	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

TAX INCREMENT FINANCING - *If this is pay-as-you-go financing, include the allowable infrastructure improvements paid for by the developer with the construction information on the firm data sheet. Infrastructure improvements paid for by the taxing jurisdictions should be included in the infrastructure improvements section above.*

Real Property Tax Increment Financing	
Base assessment value	
Percentage of incremental value rebated to the developer	
Number of years in the incremental value rebate period (maximum 20)	
Will any additional mill levy rates be excluded from the financing <i>(In addition to the state 1.5 mill levy and 20.0 mill for general education that are ineligible.)</i>	
City	
County	
School District	
Projected assessment value <i>(If projected assessments are not provided, analysis is based on capital investment.)</i>	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	
Sales Tax Increment Financing	
Portion of city sales tax rebated to the developer	
Portion of sales tax subject to TIF financing	
City	
County	
State	
Number of years in the financing period <i>(maximum 20)</i>	
Taxable retail sales subject to tax increment financing	
Year 1	
Year 2	
Year 3	
Year 4	
Year 5	
Year 6	
Year 7	
Year 8	
Year 9	
Year 10	

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT

This Economic Development Incentive Agreement (the “**Agreement**”) entered into as of February 20, 2017 between the City of Maize, Kansas, a municipal corporation (the “**City**”) and Kyodo Yushi Manufacturing Americas, LLC (the “**Company**”).

Recitals

A. The City is empowered by Article 11, Section 13 of the Kansas Constitution to grant property tax exemptions to businesses which meet the constitutional criteria.

B. In accordance with the City's Economic Development Incentive (EDX) Policy dated December 16, 2013, the Company has met the City's criteria for the granting of tax incentives in the form of property tax reductions and/or exemptions.

C. After conducting and reviewing an analysis of the respective costs and benefits of the proposed business expansion, including the effect on state revenues, and after conducting a public hearing pursuant to published notice as required by law, the City has made determinations (1) that it is willing to grant certain property tax exemptions to the Company as an inducement to the location of its business facilities in the City, in the form of property tax reductions and/or exemptions, and (2) that the property which will be the subject of a property tax exemption will be used by the Company exclusively for one of the exempt purposes described in Article 11, Section 13 of the Kansas Constitution.

D. The City is willing to cooperate with the Company to secure for the Company the tax exemptions set forth in this Agreement.

Agreements

In consideration of the mutual conditions, covenants and promises contained herein, the parties hereto agree as follows.

1. **Representations and Covenants of the Company.** The Company makes the following covenants and representations as the basis for the undertakings on its part herein contained:

(a) The Company is a limited liability company, duly organized and existing under the laws of the State of Kansas, and is duly authorized and qualified to do business in the State of Kansas, with lawful power and authority to enter into this Agreement, acting by and through its duly authorized officers.

(b) The Company has not previously done business within the State of Kansas.

(c) Between February 1, 2017 and December 31, 2018, the Company will acquire land the following described real property within the City and will build and equip an approximately 65,000 square foot manufacturing facility, at a cost of at least \$35,000,000 (the “**Project**”):

THE WEST HALF OF THE SOUTHEAST QUARTER LYING SOUTH OF THE RAILROAD RIGHT-OF-WAY, EXCEPT THE NORTH 131 FEET OF THE EAST 665.04 FEET THEREOF AND EXCEPT THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER THEREOF, SECTION 13, TOWNSHIP 26 SOUTH, RANGE 2 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS.

(d) The Company will own and operate the Project as a facility for the manufacture of articles of commerce throughout the term of this Agreement. The Company acknowledges that the sublease of any portion of the Project may render the Project ineligible for the tax exemption under the provisions of K.S.A. 79-221 and agrees that it will not sublease any portion of the Project without the prior consent of the City.

(e) Upon completion of the Project, the Company will employ five full-time employees and will thereafter maintain employment at the Project of not less than five full-time employees.

(f) During the entire term of this Agreement, the Company will continuously maintain the average wage paid to its employees at a level (i) equal to or greater than the average wage paid by businesses in the Wichita Metropolitan Statistical Area with the Company's NAICS classification, or alternative, (ii) greater than the average wage for all jobs in the Wichita Metropolitan Statistical Area excluding wages paid by businesses classified in NAICS Section 326. The Company's NAICS classification is 324191.

(g) During the entire term of this Agreement, the Company will timely pay all *ad valorem* property taxes levied on its real or personal property with Sedgwick County, Kansas. The Company acknowledges that an amount equal to 23.50% of the *ad valorem* taxes on the Project, determined in the same manner and according to the same statutory procedures as general *ad valorem* taxes, using the valuations determined by Sedgwick County Appraiser's office, shall be payable each year that the tax exemption is in effect.

(h) During the entire term of this Agreement, the Company will comply with all applicable governmental laws, rules and regulations.

(i) During the entire term of this Agreement, the Company will comply with periodic compliance audits procedures the City may adopt to monitor compliance with the terms of the Agreement, including any annual reports required of the Company and any inspection of the Company's premises or interviews with the Company's employees.

2. **Tax Exemption.** The City has agreed to grant the Company exemption from 76.50% of the property taxes on the land and buildings constituting the Project, provided proper application is made therefor to the State Board of Tax Appeals ("BOTA") as provided in **Section 4** hereof. The exemption shall commence the calendar year following the calendar year in which the Project is completed, provided that the Company has invested at least \$35,000,000 in construction and equipping of the Project and its level of employment at the Project upon completion is at least five full-time employees at an average wage meeting the requirements of **Section 1(f)** above. The exemption shall be for an initial term of five years plus an additional five years subject to review and approval of the then governing body at the end of the initial term. The City agrees that during the term of this Agreement, and so long as the Company continues to meet and perform all of its obligations under this Agreement, the City will reasonably cooperate with the Company's efforts to perfect the intended exemption before BOTA, and to make all necessary annual filings required to maintain such *ad valorem* tax exemption in full force and effect during this of this Agreement, in accordance with K.S.A. 79-201 *et seq.*

3. **Effect of Company's Breach; Remedies.** The Company acknowledges that in the event of its noncompliance with any of its obligations or agreements under **Section 1** hereof, the City will not have received the social and economic development benefits expected in connection with its entry into this Agreement and its furnishing of the economic development incentives provided for hereunder, and the resulting loss to the City will be difficult to measure. In such event, the Company shall be required to pay to the City, as liquidated damages, or as a payment in lieu of tax, an amount equal to the *ad valorem* taxes that

would theretofore have been payable but for the tax exemption referred to in **Section 2** hereof, and the City shall be entitled to take action to cancel and revoke such exemption for any subsequent period. No delay or omission by the City to enforce any of its rights as provided for herein shall impair such right, nor shall any such delay or omission be construed to be a waiver of such right.

4. **Application to State Board of Tax Appeals.** After completion of the Project, the Company will prepare the Economic Development Exemption Application (Article 11, Section 13 Kansas Constitution) required for approval of the tax exemption by BOTA and submit it to the City for its review. After its review, the City will submit the application for exemption to the Sedgwick County Appraiser for review and transmittal to BOTA. The Company will pursue such application in order to obtain an order from BOTA approving and granting the tax exemption described herein. If it should become necessary to appeal the order of BOTA for the Company to secure the tax exemption, the City agrees to cooperate with the Company, at its request, in pursuance of such appeal. Reasonable attorney's fees or other expenses incurred by the City in securing the tax exemption from BOTA will be reimbursed by the Company upon demand.

5. **Payment of Fees and Expenses.** The Company agrees to pay all fees and expenses of the City, including counsel fees, in connection with the preparation of this Agreement, the resolution of required findings and the ordinance approving the tax exemption, and the proceedings before BOTA to perfect the tax exemptions referred to herein.

6. **Annual Report to City; Annual Letter from City.** The Company agrees to complete and file with the City Clerk prior to March 1 of each year in which the exemption is granted an annual report in form as furnished by the City and/or the local county appraiser verifying that conditions regarding the Company and the exempt property imposed by law and by this Agreement continue to exist. If the Company continues to meet the conditions imposed on the granting of the tax exemption, the City will send a letter verifying such compliance to the local county appraiser.

7. **Transfer of Ownership or Use.** It is the understanding of the Company that the property tax exemption granted by the City is non-transferable upon the sale of all or a portion of the Project.

8. **Compliance with Tax Incentive Policy.** The Company agrees to comply with the provisions of City's Economic Development Incentive (EDX) Policy dated December 16, 2013 throughout term of this Agreement, a copy of which is attached hereto as **Exhibit A**.

9. **Term.** This Agreement shall commence on the date first written above and shall end on December 31st of the tenth year following the commencement of the tax exemption.

10. **Notification.** Notifications required pursuant to this Agreement shall be made in writing and mailed to the addresses shown below. Such notification shall be deemed complete upon mailing.

City: City of Maize, Kansas
10100 Grady Avenue
P.O. Box 245
Maize, Kansas 67101
Attention: City Clerk

Company: Kyodo Yushi Manufacturing Americas, LLC
c/o Lubrication Engineers Inc.
1919 E. Tulsa
Wichita, Kansas 67216
Attention: Scott Schwindaman

[balance of this page intentionally left blank]

Executed as of the date and year first above written.

CITY OF MAIZE, KANSAS

By: _____
Clair Donnelly, Mayor

(SEAL)

Attest:

Jocelyn Reid, City Clerk

**KYODO YUSHI MANUFACTURING
AMERICAS, LLC**

By: _____
Name:
Title:

EXHIBIT A

[insert copy of EDX policy]

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MAIZE, KANSAS MAKING CERTAIN FINDINGS OF FACT AS REQUIRED BY K.S.A. 79-251 WITH RESPECT TO A PROPERTY TAX EXEMPTION TO BE GRANTED TO KYODO YUSHI MANUFACTURING AMERICAS, LLC

WHEREAS, Kyodo Yushi Manufacturing Americas, LLC (the "Company") has applied to the City of Maize, Kansas (the "City") for a property tax exemption pursuant to the provisions of Article 11, Section 13 of the Kansas Constitution for property located in the City to be used for one of the exempt purposes set forth in Article 11, Section 13 of the Kansas Constitution; and

WHEREAS, the governing body of the City has investigated the facts regarding the property to be acquired and the use to which the Company will put such property;

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

Section 1. The governing body of the City has determined and makes a factual finding that the property for which the exemption is to be granted will be used exclusively in the Company's business of manufacturing articles of commerce as specified in Article 11, Section 13 of the Kansas Constitution.

Section 2. The governing body has further determined and makes a factual finding that the Company is a newly formed entity which has not previously operated in the State of Kansas and that it intends to locate its business in the City through the acquisition of land and the construction and equipping of a new manufacturing facility.

ADOPTED by the governing body of the City of Maize, Kansas on February 20, 2017.

Clair Donnelly, Mayor

[SEAL]

Attest:

Jocelyn Reid, City Clerk

(Published in the *The Clarion*, February 23, 2017)

ORDINANCE NO. ____

AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF MAIZE, KANSAS, FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES PURSUANT TO ARTICLE 11, SECTION 13 OF THE KANSAS CONSTITUTION; PROVIDING THE TERMS AND CONDITIONS FOR AD VALOREM TAX EXEMPTION; AND DESCRIBING THE PROPERTY KYODO YUSHI MANUFACTURING AMERICAS, LLC, SO EXEMPTED.

WHEREAS, Article 11, Section 13 of the Kansas Constitution permits the governing body of any city by ordinance to exempt from ad valorem taxation all or any portion of the appraised valuation of all buildings, together with the land upon which such buildings were located, and all tangible personal property associated therewith used exclusively by a business for the purpose of manufacturing articles of commerce for not more than ten (10) calendar years after the calendar year in which the business commences its operations or in which expansion of an existing business is completed; and

WHEREAS, the governing body of the City of Maize, Kansas (the "City"), after conducting a public hearing pursuant to published notice as provided by law, has determined that property belonging to Kyodo Yushi Manufacturing Americas, LLC (the "Company") and used exclusively in the Company's business of manufacturing articles of commerce should be granted tax exemption for economic development purposes; and

WHEREAS, the governing body of the City has by previously adopted resolution made the findings of fact required by K.S.A. 79-251;

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

Section 1. Grant of Exemption. In accordance with Article 11, Section 13 of the Kansas Constitution, and pursuant to K.S.A. 79-251, Resolution No. ____ of the City, the governing body of the City hereby determines that the following described property should be granted a 76.50% ad valorem tax exemption, subject to proper application to and approval of the State Board of Tax Appeals, and further subject to the conditions set forth herein:

An approximately 65,000 square foot manufacturing facility (the "Project") to be located on the real property described as follows:

THE WEST HALF OF THE SOUTHEAST QUARTER LYING SOUTH OF THE RAILROAD RIGHT-OF-WAY, EXCEPT THE NORTH 131 FEET OF THE EAST 665.04 FEET THEREOF AND EXCEPT THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER THEREOF, SECTION 13, TOWNSHIP 26 SOUTH, RANGE 2 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS.

The exemption shall be for the land and associated buildings thereon, shall be for an initial term of five years plus an additional five years subject to review and approval of the governing body at the end of the initial term, and shall commence the calendar year following the calendar year in which the Project is completed, provided that the Company's investment in the Project and its level of employment at the Project upon completion is at least equal to that stated in the Company's written request to the City for ad valorem tax exemption as presented to the governing body this date. Continuation of the ad valorem tax exemption shall be subject to compliance by the Company with the terms and conditions of the Economic Development Incentive Agreement herein approved, and the exemption may be withdrawn by the governing body upon a finding that the Company is no longer entitled to such exemption under the terms of the Economic Development Incentive Agreement.

Section 2. Authorization of Economic Development Incentive Agreement. The form of the Economic Development Incentive Agreement exhibited to the governing body of the City at this date is hereby approved, with such minor corrections or modifications as may be approved by the Mayor, such approval to be conclusively evidenced by execution of such agreement by the Mayor and City Clerk, and the Mayor and City Clerk are hereby authorized to execute such Economic Development Incentive Agreement on behalf of the City. City administrative staff shall be responsible for monitoring the Company's compliance with the terms of the Economic Development Incentive Agreement.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, execution by the Mayor, and publication in the official city newspaper as provided by law.

[balance of this page intentionally left blank]

PASSED AND SIGNED February 20, 2017.

Clair Donnelly, Mayor

(SEAL)

Attest:

Jocelyn Reid, City Clerk

* * * * *

CERTIFICATE OF COPY

I hereby certify that the attached copy is a true and correct copy of Ordinance No. ____ of the governing body of the City of Maize, Kansas, duly passed by the governing body, signed by the Mayor, and published in the official City newspaper on the respective date stated therein, and that the signed original of such Ordinance is on file in my office.

[SEAL]

City Clerk

**MAIZE CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 20, 2017**

AGENDA ITEM 9B

ITEM: Vacation of contingent street right-of-way Rancho del Oso Libertad Addition (V-01-016)

BACKGROUND: When this property was originally platted in 2003 it was under the jurisdiction of Sedgwick County. At the time of platting the Wichita/Sedgwick County Metropolitan Area Planning Commission and the Sedgwick County Board of Commissioners required a 29-foot contingent right-of-way dedication along the north edge of this property. This was to ensure access to the property to the east, which is owned by Helen Simon. In order to have adequate right-of-way for road construction right-of-way would also have to be dedicated from the property to the north. City Staff believes that there are better alternatives for accessing the Simon property such as along 61st Street. Additionally, Mrs. Simon is not in favor of access being granted to her property from the property west of hers.

This dedication has encumbered the property and prevented the current owner from using this portion of the property. As the property to the east develops there is ample opportunity for access to 61st Street. There is no practical reason to continue to require the property owner to not use this portion of the property.

At their February 20, 2017 meeting, the Planning Commission voted unanimously to recommend approval of the vacation request. A copy of the staff report that was presented to the Planning Commission, along with a copy of the plat and an aerial photograph are attached for your review.

FINANCIAL CONSIDERATIONS: None

LEGAL CONSIDERATIONS: Approved as to form

RECOMMENDATION/ACTION: Approve and authorize the mayor to sign the Vacation Order for the contingent right-of-way, authorize staff to file an amendment to the plat with the Sedgwick County Register of Deeds.

BEFORE THE CITY COUNCIL OF THE
CITY OF MAIZE, SEDGWICK COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF

29 foot contingent right-of-way)	
Rancho del Oso Libertad)	V-01-016
An Addition to Sedgwick County, Kansas)	

GENERALLY LOCATED

¼ mile south of 61st Street South on the west side of Maize Road

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 20th day of February, 2017 comes on for hearing the petition for vacation filed by Jesse and Rebecca praying for the vacation of the following described contingent street right-of-way, to-wit:

The 29-foot contingent street right-of-way along the north boundary of Lot 1, Block A, Rancho del Oso Libertad, An Addition to Sedgwick County, Kansas.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in The Clarion on December 22, 2016 which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the above-described contingent street right-of-way, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of contingent street right-of-way described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 20th day of February, 2017 ordered that the above-described contingent street right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

Clair Donnelly, Mayor

ATTEST:

Jocelyn Reid, City Clerk

Approved as to Form:

Thomas J. Powell, City Attorney

Sedgwick County Online Map Portal

Sedgwick County, Kansas

W-SC Access Zoning
MAPD Regulations
About Help

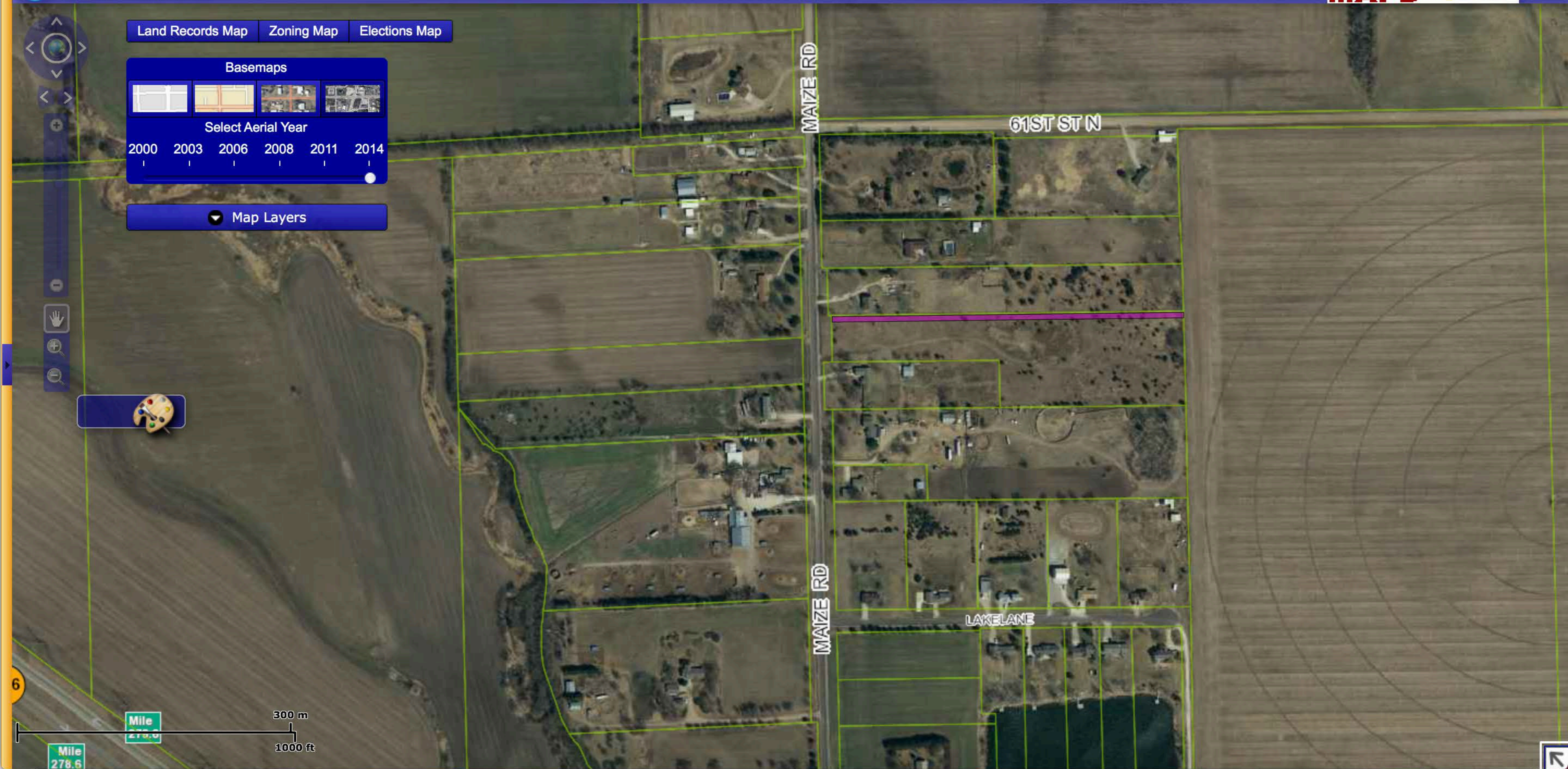
Land Records Map Zoning Map Elections Map

Basemaps

Select Aerial Year

2000 2003 2006 2008 2011 2014

Map Layers



Rancho Del Oso Liberdad

An Addition to Sedgwick County, Kansas



This plat has been submitted to and approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas. Dated this 21st day of November, 2003.

Bernard Hentzen Chairman
Benard Hentzen
Dale Miller Secretary
Dale Miller

Reviewed and approved with K.S.A. 58-2005 on this 21st day of November, 2003.

Willa K. Kopp
Willa K. Kopp #1246
Deputy County Surveyor
Sedgwick County, Kansas

This plat approved and all dedications shown hereon accepted by the Board of Commissioners of Sedgwick County, Kansas, this 30th day of July, 2003.

Tim Norton Chairman
Tim Norton
Don Brace County Clerk
Don Brace

State of Kansas)
County of Sedgwick) SS

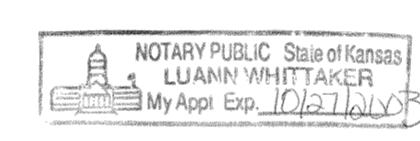
Armstrong Land Survey, P.A. registered and authorized to practice Land Surveying in said state and county hereby certifies that on this 11th day of February, 2003, we have surveyed and platted "Rancho Del Oso Liberdad" to Sedgwick County, Kansas, into a lot and block, the same being described as follows:
THE SOUTH 340 FEET OF THE NORTH 1020 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 26 SOUTH, RANGE 1 WEST OF THE 6TH P.M., SEDGWICK COUNTY, KANSAS, EXCEPT THE SOUTH 170 FEET OF THE WEST 660 FEET THEREOF.

Donald C. Armstrong LS#780
DONALD C. ARMSTRONG
REGISTERED LAND SURVEYOR
KANSAS
LS-780

State of Kansas)
County of Sedgwick) ss

Be it remembered that on this 19 day of January, 2003, before me, a Notary Public in aforesaid state and county, came John T. Garris and Sheri L. Garris, to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Luann Whitaker Notary Public
Luann Whitaker
My commission expires: 10/27/2003



MORTGAGE CERTIFICATE

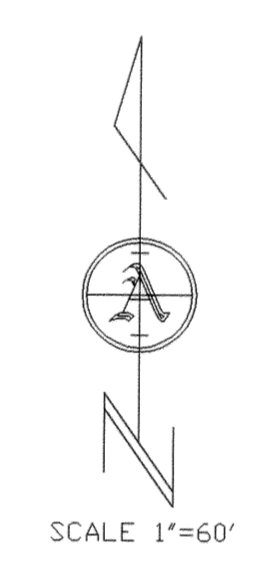
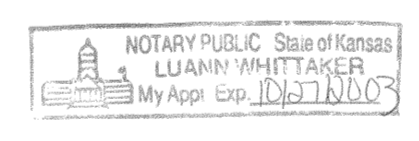
Commercial Federal Bank, mortgagee on the land being platted herein, does hereby consent to this plat of "Rancho Del Oso Liberdad" to Sedgwick County, Kansas.

Darren Copp
Darren Copp Vice-President

State of Kansas)
County of Sedgwick) SS

The instrument was acknowledged before me this 19 day of January, 2003, by Darren Copp, of Commercial Federal Bank, on behalf of the Bank.

Luann Whitaker Notary Public
Luann Whitaker
My Commission expires



SCALE 1"=60'

- - 5/8" Armstrong LS 780 capped rebar set
- - 3/4" iron pipe found
- ⊗ - rebar found
- CM - calculated from measurements
- D - deed distance

#2238890



Entered on transfer record the 30th day of July, 2003.
Don Brace County Clerk
Don Brace

State of Kansas)
County of Sedgwick)

his is to certify that this plat has been filed for record in the office of the Register of Deeds this 31st day of July, 2003, at 2:32 P.M., and is duly recorded.

Bill Meek Register of Deeds
Bill Meek
Linda Kizzire Deputy
Linda Kizzire

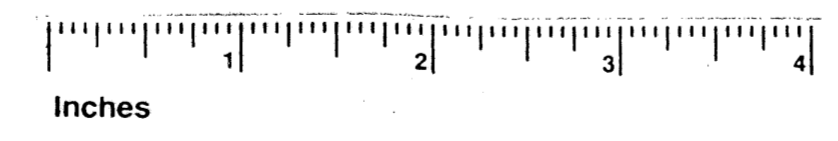


OWNERS:
John T. Garris Date 2-19-03
Sheri L. Garris Date 2-19-03



**ARMSTRONG
LAND SURVEY, P.A.**

250 N. MATHEWSON
WICHITA, KANSAS
PH - (316) 263-0082
Fax - (316) 263-0092



This digital plat record accurately reproduces in all details the original plat filed with the Sedgwick County Register of Deeds. Digitized under the supervision of Register of Deeds Bill Meek by Sedgwick County Geographic Information Systems.

Bill Meek, Register of Deeds
Digitized rendition of original signature



February 2017



Monthly Council Report

Department Highlights

- Overall Department activities are functioning normal.
- Sergeant Herr has again been issued deployment orders from the Air Force. She has been sent to McConnell AFB for the next 6 months.
- Officer Rodriguez has submitted his resignation and will be moving to Florida where he has been accepted to Marine Motor Institute. His last day will be February 22nd.
- We have identified a person to fill Officer Rodriguez’s position.

Budget status: 10/100%

**Major purchases:
None**

Current Staff Levels.

11 Full-time
 2 Part-time
 2 Reserve
 2 Reserve -Vacant

Monthly Activities

January Police Reports - 68
 January calls for service - 502

Community Policing:

PUBLIC WORKS REPORT 2-15-2017

Regular Work

- Graded 61st and north Tyler Road. Pick up and burn brush.
- Pick up and help Sue distribute commodities.
- We do locates, check the water and lift stations daily. Sue has just finished compiling the water quality report for 2016 to send in to KDHE.
- Swept streets in Eagles Nest, Carriage Crossing and Hampton Lakes, Emerald Springs, Watercress and Fiddlers Cove. Try to sweep all streets in the city once every three months.
- Installed new speed limit signs and intersection warning signs along Tyler Road from 37th to 53rd.

Special Projects

- Met with MKEC on new equipment for the new phase of the WWTP. Believe they have ordered the screen and are trying to figure out how to get it installed in the headworks building. This is to clean the trash from the sewer water before it goes into the sewer basin. This will help a huge amount in the process of the sewage and the manual labor it takes to remove the trash as we have done for the past 20 years.
- We have cleaned up the pond east of City Hall. Cut all the weeds and nuisance trees around the whole pond. Looks much better.
- Working on plans to prepare the back five acres of the Cemetery for use and landscaping.
- Finished making the repairs to another water break at 832 Carriage Road. Kind of a bad situation there but we finally got it repaired.
- We have finished installing the sidewalk for the new bathroom and have backfilled and leveled the grounds around it. We have also cleaned the ditches in front and have worked on the drainage to hopefully keep it draining properly. We are working on several things to enhance the park and make it safer for all.
- Continue working with Andale to come up with solutions for the sidewalk along 45th St. We have had some interesting obstacles to overcome but I believe when it is finished it will be a very nice sidewalk everyone can use.
- Working with Jeff Greep to get several areas of the City cleaned up as we have the time.

Ron Smothers

Public Works Director

City Engineer's Report

2/15/2017

Maize Middle School

The exterior work on the "Cafetorium" is continuing at a rapid pace and looks great.

Baxter Dental

Completed and moved-in.

Heartland Credit Union

Building is completely enclosed and crews are continuing interior and exterior work.

Aero-Tech

Building is enclosed and crews are working on the interior.

Watercress Villas

Additional concrete slabs are currently being poured for the apartment complexes and the garages. Underground utilities are being installed.

Restrooms

Fixtures are completely installed and the painting will be done by the end of week. The heat pump is installed. Security cameras are installed and are ready for connection to our security monitoring system. Exterior lighting on north side has been installed and is operational.

Eagle's Nest

A sidewalk has been installed on the final phase of Eagle's Nest and the surface layer of asphalt for the streets will be installed this week.

**PLANNING ADMINISTRATOR'S
REPORT**

DATE: February 20, 2017

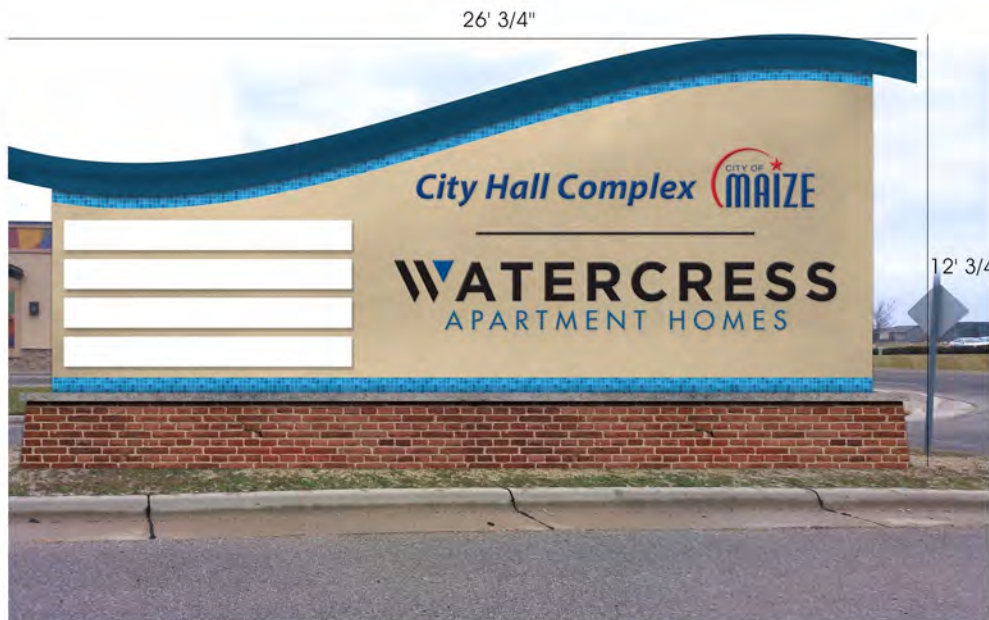
TO: Maize City Council Members

FROM: Kim Edgington, Planning Administrator

RE: Regular February 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 – Infrastructure construction continues with an anticipated opening date of late summer/early fall 2017. Construction of a new sign within the right-of-way of Ranch Road on the east side of Maize Road for the apartment complex is expected to begin within the next few weeks. A rendering of the sign is attached for your review.
2. Comprehensive Plan Update – The community-based survey has been online and sent out in utility bills. The survey will be closing on February 28th. Gould Evans Associates will then present their next round of findings at the April 6th Planning Commission meeting. The response to the survey has been very positive to-date, with already over 150 surveys completed either online or in-person.
3. Vacation of contingent right-of-way at 6055 N Maize Road – this case was reviewed and recommended for approval at the January 12, 2017 meeting and is on the current Council agenda
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.



Revised 4-26-2016

<p>20 SIGN 50 DESIGN SIGNS & GRAPHICS WITH VISION</p>	<p>11842 S. 33rd W. Ave. Suite C • Sapulpa, OK 74066 Phone: 918-209-5160 • Fax: 918-512-4272 WWW.2020SIGNDESIGN.COM</p>	<p>Proof Disclaimer: An email or fax stating your approval constitutes the total and final approval to produce your job as is on this proof or with changes indicated. While we make every attempt to eliminate mistakes in our proof progression, sometimes oversights occur. You have the final responsibility for review to ensure there are no errors. Oversights that require the job to be reproduced will be done at your expense.</p>
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**City Clerk Report
REGULAR COUNCIL MEETING
February 20, 2017**

Year to date status (Through 1/31/17):

General Fund –			
	Budget	YTD	
Rev.	\$3,251,293	\$1,133,087	34.85%
Exp.	\$3,375,058	\$ 392,263	11.62%
Streets –			
Rev.	\$302,350	\$ 44,945	14.87%
Exp.	\$308,050	\$ 31,264	10.15%
Wastewater Fund-			
Rev.	\$784,000	\$ 66,398	8.47%
Exp.	\$768,863	\$ 69,941	9.10%
Water Fund-			
Rev.	\$779,925	\$ 73,598	9.44%
Exp.	\$779,925	\$ 72,347	9.28%

Health & Dental Benefits

Per Council's request, here are the 2017 numbers (through 1/31/2017) 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:	\$ 27,911.04	\$ 6,979.08	\$ 34,890.12
Dental:	1,814.96	454.00	2,268.96
Life:	<u>776.91</u>	<u>0</u>	<u>776.91</u>
	\$ 30,502.91	\$ 7,433.08	\$ 37,935.99

CAPITAL PROJECTS

Projects w/o
Temp Notes

Project	Fund	Resolution of Advisability	Total Resolution Amount	Expenditures thru 12/31/16	Expenditures 1/1/16 thru 1/31/17	Total Expenditures	Resolution Authorization Less Expenditures
Eagles Nest Phase 2B Water	05	585-16	\$ 123,000.00	\$ 13,593.65	\$ 63,116.17	\$ 76,709.82	\$ 46,290.18
Eagles Nest Phase 2B Paving	05	586-16	\$ 422,000.00	\$ 24,757.63	\$ 88,128.40	\$ 112,886.03	\$ 309,113.97
Totals			\$ 545,000.00	\$ 38,351.28	\$ 151,244.57	\$ 189,595.85	\$ 355,404.15

KDHE Project	Fund	Ordinance	Total Resolution Amount	Expenditures thru 12/31/16	Expenditures 1/1/17 thru 1/31/17	Total Expenditures	Resolution Authorization Less Expenditures
WWTP Expansion	05	923	\$ 6,100,000.00	\$ 10,155.91	\$ 57,350.00	\$ 67,505.91	\$ 6,032,494.09

Grand Total \$48,507.19 \$208,594.57 \$257,101.76 \$6,387,898.24

CIP 2016 (As of 1/31/2017)

<u>Detail</u>	<u>Reason</u>	<u>January Revenue</u>	<u>January Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/17					\$ 88,378.56
Ad Valorem	Tax			-	-
Motor Vehicle	Tax			-	-
Delinquent	Tax	1.09		-	1.09
Interest	From Bank Accounts	411.19		2,000.00	411.19
Maize Rec	Splash Park Contribution	-			-
Transfers	From General Fund	38,333.33		460,000.00	38,333.33
Total Revenues		<u>38,745.61</u>		<u>462,000.00</u>	<u>38,745.61</u>
Total Resources					<u><u>127,124.17</u></u>
Street Improvements				-	350,000.00
Sidewalk/Bike Paths				-	100,000.00
Park Improvements			47,062.63	200,000.00	47,062.63
Other Capital Costs			-	-	-
Total Expenditures		<u>-</u>	<u>47,062.63</u>	<u>650,000.00</u>	<u>47,062.63</u>
Cash Balance - 1/31/17					<u><u>\$ 80,061.54</u></u>

CITY OF MAIZE/REC COMMISSION
 SHARED COSTS FOR CITY HALL COMPLEX
 THRU 1/31/2017

	MONTHLY BILL	CITY PORTION	REC PORTION	YEAR TO DATE COSTS	CITY PORTION YEAR TO DATE	REC PORTION YEAR TO DATE	PERCENT OR FLAT RATE
Phone	\$515.19	\$379.22	\$135.97	\$515.19	\$379.22	\$135.97	Flat - based on number of lines
Internet	1,057.67	951.90	105.77	1,057.67	951.90	105.77	Flat - \$105.77/month
Gas	931.16	513.07	418.09	931.16	513.07	418.09	44.90%
Electric	1,740.94	959.26	781.68	1,740.94	959.26	781.68	44.90%
Janitor	1,744.98	961.48	783.50	1,744.98	961.48	783.50	44.90%
Water/Sewer	0.00	0.00	0.00	0.00	0.00	0.00	
Trash	72.60	40.00	32.60	72.60	40.00	32.60	44.90%
Insurance (Annual Bill)	0.00	0.00	0.00	10,031.60	5,527.41	4,504.19	44.90%
Pest Control	300.00	275.00	25.00	300.00	275.00	25.00	Flat - Exterminator breaks rate out
Lawn Service	0.00	0.00	0.00		0.00	0.00	Provided by Public Works
Total	\$6,362.54	\$4,079.93	\$2,282.61	\$16,394.14	\$9,607.35	\$6,786.79	

Shared Costs for City Hall
 Updated 2/14/2017

Equipment Reserve 2016 (As of 1/31/2017)

<u>Detail</u>	<u>Reason</u>	<u>January Revenue</u>	<u>January Expense</u>	<u>Budget</u>	<u>Year to Date Actual Cash</u>
Beg Cash - 01/01/17					\$ 96,339.29
Interest	From Bank Accounts	35.89		300.00	35.89
Transfers	From General Fund	11,666.67		140,000.00	11,666.67
Total Revenues		\$ 11,702.56		\$ 140,300.00	\$ 11,702.56
Total Resources					\$ 108,041.85
Trucks/Heavy Equipment			\$ 35,434.30	\$ 41,000.00	\$ 35,434.30
Computers			7,980.00	45,000.00	7,980.00
Police Department Expenses				50,000.00	-
Total Expenditures			\$ 43,414.30	\$ 136,000.00	\$ 43,414.30
Cash Balance - 1/31/2017					\$ 64,627.55

CITY OF MAIZE/USD #266
 SHARED COSTS FOR SCHOOL RESOURCE OFFICERS
 THRU 1/31/2017

	MONTHLY BILL	CITY PORTION	USD #266 PORTION	YEAR TO DATE COSTS	CITY PORTION YEAR TO DATE	USD #266 PORTION YEAR TO DATE
Wages	\$ 7,976.12	\$ 1,994.03	\$ 5,982.09	\$ 7,976.12	\$ 1,994.03	\$ 5,982.09
FICA/Medicare Taxes	572.28	143.07	429.21	572.28	143.07	429.21
KPERS (Employer)	714.49	178.62	535.87	714.49	178.62	535.87
Health/Life/Other Employer Paid Benefits	1,980.76	495.19	1,485.57	1,980.76	495.19	1,485.57
Totals	\$ 11,243.65	\$ 2,810.91	\$ 8,432.74	\$ 11,243.65	\$ 2,810.91	\$ 8,432.74



CITY OPERATIONS REPORT

DATE: February 15, 2017
TO: Maize City Council
FROM: Richard LaMunyon-Becky Bouska-Sue Villarreal-Jolene Graham
RE: February Report

1) Pending Council Items

- 2016 City Audit is currently scheduled for the March Council meeting.
- Utility Expansion Cost Policy continues to be developed and could be available for Council discussion and review within sixty days.
- Arbor Day Proclamation (April)

2) Cemetery Improvement Plans Update

Staff has met with Park and Tree board members to plan for improvements to the Cemetery New Addition. Staff estimates costs for improvements to be \$12,000 to \$15,000.

Funds are available and staff will provide additional information for board approval as we receive bids.

- Fencing Perimeter
- Irrigation for trees
- Pretreating & Seeding
- Trees & Vegetation

3) Multi-use Path Master Plan

Staff received two proposals for the City-wide "Multi-use Path Master Plan". (*Sidewalks*)

Efforts to obtain additional proposals were unsuccessful. The Transystems proposal cost is \$38,000 and PEC Engineering is \$55,000. Both are reputable engineering companies and appear to meet the basic requirements as outlined by the city. There is a \$17,000 difference in cost.

Normally if both proposal were equal in content staff would recommend going with the less costly of the two. However, after review there are some differences to consider.

A "cut & paste" copy of the staff memo is below:

To: Richard LaMunyon, City Administrator
From: Rebecca Bouska, Deputy City Administrator
Jolene Graham, Executive Assistant
Date: February 9, 2017
Subject: Multi-use Path Master Plan Proposals

Jolene Graham and I reviewed the Multi-use Path Master Plan Proposals.
After careful review we developed the following summary:

Transystems: (\$38,000)

Although their proposal was good, we had some definite issues with the proposal.

- The company assumed that The City of Maize will provide approximately 2 weeks worth of labor to assist with the project data gathering. (Translation, Ron's staff would do the data gathering work.)
- Although the project lead is located in Wichita, the staff working on the study are out of the firm's Kansas City Office. Additionally, the majority of the work related to multi-use paths has been performed in and around Kansas City.

PEC (\$55,000)

This proposal costs a bit more, however we feel it is the best fit for Maize:

- Higher cost is something to consider
- Has an added public communication process to the plan development
- The Staff involved are based in Wichita
- Proven Track Record with the Valley Center Study --over \$500K in federal funds have been awarded based upon the Study
- Proven Track Record with Wichita and the Riverfront designs
- Using their own staff for data collection
- A former City of Wichita Planner is on the design team

In short, we believe that PEC would be the right fit for this project.
Please advise if you have questions or concerns.

At this time staff's final recommendation to the Council will be to accept the PEC's proposal based on the premises outline in the above memo.

Funding for the proposal is under review to determine available of funds and when they might be obtainable.

4) April Council Meeting

Chad Higgins, USD 266 Superintendent, contracted the city to request they be allowed to host the annual joint meeting with the City on April 17th.

The Mayor has approved the request.

As a result the Regular April Council meeting is scheduled for April 10th. The location of the joint meeting is tentatively scheduled at the Maize Middle School, 45th & Maize Rd.

5) Miscellaneous Items

- Wastewater Plant Expansion
 - ✓ On Schedule
- 45th Street multipurpose walkway
 - ✓ Construction is nearing completion
- City Hall Directional Signs
 - ✓ Upgraded directional signs have been ordered

6) Economic Development

- Seven new single family housing permits for 2017
- Watercress Apartments
 - On schedule
- Baxter Dental Clinic plaque presentation
 - February 22nd at 12:30 pm

7) City Meetings

- February 20th - Council @ 7pm
- March 2nd - Planning @ 7pm
- March 14th - Park & Tree @ 5:30pm
- March 20th - Council @ 7pm