

City of Wichita
City Council Meeting
December 16, 2008

TO: Mayor and City Council Members

SUBJECT: Sanitary Sewer for Belle Terre South 2nd Addition (north of Kellogg, west of 159th St. East) (District II)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Adopt the Resolution.

Background: On February 6, 2007, the City Council approved a Petition for a sanitary sewer to serve Lots 8, 9, and 10, Block 1, Belle Terre South 2nd Addition. The lots were vacant at that time. Homes have since been built on the properties and Lot 10 will not benefit from the project. An amending Resolution has been prepared to remove the lot from the improvement district.

Analysis: The project provides sanitary sewer service to a small infill area within an existing addition that was not completed by the original developer.

Financial Considerations: The budget contained in the approved Petition is \$25,000. The revised budget in the amending Resolution is \$16,700.

Goal Impact: This project addresses the Efficient Infrastructure goal by providing sanitary sewer service required for new development.

Legal Considerations: State Statutes provide the City Council the authority to remove a lot from the improvement district by Resolution.

Recommendations/Actions: It is recommended that the City Council adopt the Resolution and authorize the necessary signatures.

Attachments: Map and Resolution.

RESOLUTION NO. 08-554

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 403, FOUR MILE CREEK SEWER (NORTH OF KELLOGG, WEST OF 159TH ST. EAST) 468-84311 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING AND RESOLUTION AUTHORIZING CONSTRUCTION OF LATERAL 403, FOUR MILE CREEK SEWER (NORTH OF KELLOGG, WEST OF 159TH ST. EAST) 468-84311 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO- WIT:

SECTION 1. That Resolution No. 07-056 adopted on February 6, 2007 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct Lateral 403, Four Mile Creek Sewer (west of Kellogg, west of 159th St. East) 468-84311.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for hereof is estimated to be Sixteen Thousand Seven Hundred Dollars (\$16,700), exclusive of the cost of interest on borrowed money, with 100 percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after July 1, 2006, exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

BELLE TERRE SOUTH 2ND ADDITION

Lots 8 and 9, Block 1

SECTION 5. That the method of apportioning all costs of said improvements attributable to the owners of land liable for assessment shall be on a square foot basis.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a

preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 16th day of December, 2008.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)