

COMMISSIONERS PROCEEDINGS

2373

February 10, 1976

Bill Goebel

Bill Goebel, President of Star Lumber Company, stated that the drainage was needed, but it was still too expensive.

Gene Lygrisse
Ferd Evans
Tom Borniger

Gene Lygrisse, Sauder Lygrisse; Ferd Evans, representing Westport Theaters; Tom Borniger, representing land owners of the K-Mart Store, all agreed that the drainage was needed, but at \$3,500 per acre it was still too expensive.

Comm. Stevens

Commissioner Stevens asked if \$1,000 per acre on the acreage other than the Towne West site could be taken from CDA funds.

Discussion

Discussion was had and all agreed that \$2,500 an acre would not be bad.

James R. Schaefer

Mr. Schaefer stated that their offer was predicated on the basis that the rest of the property owners paid the remainder and that other government monies were not involved.

Motion--
--carried

Stevens moved to allow James Schaefer 2 additional minutes to complete his presentation. Motion carried 5 to 0.

Discussion

Discussion.

Motion to defer--

Donnell moved that this matter be deferred for three weeks in order to check costs and to get a projected traffic and construction cost.

City Manager

City Manager reminded the Commission that the Economic Development Administration had committed the money for this project some time ago and were not going to hold it much longer.

Discussion

Discussion.

James R. Schaefer

Mr. Schaefer asked for 10 to 15 minutes in order to call his clients and get their reaction.

Substitute motion--
--carried

Stevens moved a substitute motion to defer this matter for 10 to 15 minutes in order to allow Mr. Schaefer time to make his call. Motion carried 5 to 0.

RECESS

Commission recessed at 3:35 p.m. and reconvened at 3:59 p.m.

James R. Schaefer

Mr. Schaefer presented the following proposal from the developers of Towne West:

Total Projected Cost of Drainage	\$2,250,000 ✓
Pump Station (City-at-large)	<u>985,550</u>
Total for Area "A" to pay	\$1,264,450
Federal Funds	<u>466,050</u>
Total Assessment	\$ 798,400
Towne West Assessment	\$ 413,400
Towne West agrees to pay additional	<u>125,000</u>
Total Towne West Payment	\$ 538,400 ✓

which would leave approximately \$3,500 per acre for the remainder of the area to bear.

Discussion

Discussion.

City Attorney

City Attorney recommended that the resolution be revised in accordance with K.S.A. 12-6a (Chesney), to distribute the assessment in Area "A". The City Manager concurred.

Ralph Long

Ralph Long, representing Missouri Improvement Company, stated that in Area "C" the open ditch through their property was not acceptable, but that he had talked with Dick Linn, City Engineer, and it was being worked out.

Frank Kessler

Frank Kessler, Kessler Brothers, Inc., stated that he was developing a tract to the south and he could not understand why they had to stand the full burden of the open ditch on their tract when the ditch south of them will be paid for by the City-at-large.

The remaining speakers were in favor of the drainage in Area "C".

Motion--

Donnell moved that the Areas "A" and "C" projects be approved; Area "C" be assessed on an area basis and Area "A" be assessed under the K.S.A. 12-6a (Chesney) method of assessment on a fractional basis, except that funds for the Pumping Station be paid for by the City-at-large; and the submission of a revised grant application be authorized; and the City Attorney be instructed to prepare the necessary resolutions.

Discussion

Discussion was had in regard to assessment in Area "A", other than Towne West, being approximately \$3,500 per acre.

--carried

Motion carried 5 to 0.

REFERENCE MEN
AGENDA FOR FEB 10 1976

THE CITY OF WICHITA
OFFICE OF ENGINEERING

DATE January 29, 1976

TO Ralph Wulf, City Manager

FROM R.W. Lamm, City Engineer

SUBJECT Southwest Industrial Park Storm Drainage Improvements - Areas A and C

ROUTING:

RW
 EK
 FILE

DATE: 1/29/76

1/29/76

The City Commission will hold a public hearing on February 10, 1976 in connection with the above mentioned project.

The Engineering Division staff will present a review of the project boundaries, proposed improvements, estimated costs, methods of financing, and methods of assessment.

The City Commission specifically requested information relative to alternate methods of assessment. Alternate methods will be explained at the hearing (outlining the pros and cons of each method), but it will not be possible to develop comparative assessments between the alternate methods.

Listed below are three methods of assessment which are commonly used. Some other method could be devised, but I am not familiar with additional options:

- (1) Area or square ft. basis - This method is commonly used on benefit districts in which the properties are of similar type of general value. The method is direct, easily understood, and does have a relationship to project cost on drainage projects since area is a direct function of design. The proposed individual assessment can be determined in advance.
- (2) Appraisal Method - This method requires the services of appraisers to determine the unimproved value of the properties within the benefit district. The appraisers take into consideration the size, location, zoning, topographic features, and all other factors which determine the land value. The intent of this method is to have an accurate comparison of property values to determine assessments based on land value. The main disadvantage of this method is that the appraisal is done after the project is approved and started which leaves the individual owner with no estimate of assessment until the project is virtually complete. The appraisal method also has short-comings if less than competent appraisers are used.
- (3) Land Value according to County Assessor's Records - This method is used as an alternate to the appraisal method. The County Assessor should have the land value of property established for tax purposes which eliminates the need for an additional appraisal. There is a legal method of appeal to the County valuation which should eliminate the appraisers hearing by the City Commission. The staff usually recommends a date of filing the values approximately six months to one year after the project hearing to permit property owners an opportunity to appeal land value to the County Assessor.

Ralph Wulf, City Manager

Page -2-

January 29, 1976

The disadvantage of this method is the inability to determine accurate approximations of assessment prior to approval of a project and the inconsistencies of land value on record. Comparative individual assessments between alternate methods of assessment cannot be developed for the hearing. Please provide the City Commission with copies of this memo or the information contained for their review prior to the hearing.

RWL:sd
CC: R.W. Bruggeman, Director of Public Works
John Dekker, Director of Law & City Attorney

R.W. Lamm
City Engineer

HOLMES, MELLOR, SCHAEFER & COMPTON

ATTORNEYS AT LAW

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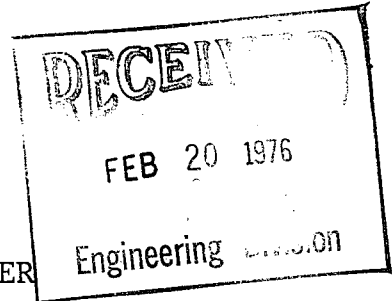
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R. L. HOLMES (1860 - 1929)
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JOHN J. DARRAH (1910 - 1973)

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COUNSEL

RICHARD W. HOLMES
PHILLIP MELLOR
JAMES R. SCHAEFER
GEORGE R. COMPTON
ARDEN P. MILLER

February 18, 1976



RE: TOWNE WEST SHOPPING CENTER

TO ALL LANDOWNERS AND OTHER INTERESTED PARTIES:

In the last several months the traffic consultants for the developers of Towne West Shopping Center have been working with the Traffic Engineering Division of the City of Wichita in an attempt to develop tentative design criteria for the streets and roadways surrounding the proposed Towne West Shopping Center.

At this time the traffic consultants and the City have reached tentative agreement, however, before any final decisions are made, we feel that there should be further discussion with the property owners in the area concerning the street designs.

To that end, we have scheduled a meeting for Monday, February 23, 1976, at 1:30 p.m. in the Public Meeting Room of the new City Hall, on the first floor, at 455 North Main, Wichita, Kansas. The purpose of the meeting is to discuss the matter with the property owners and city officials, and other interested parties, so that the input of the property owners and their comments can be obtained so that the traffic situation can be finalized.

Each of you are cordially invited to attend this meeting and express your views.

Yours very truly,

A handwritten signature in cursive script that reads "James R. Schaefer".

James R. Schaefer
of HOLMES, MELLOR, SCHAEFER & COMPTON

JRS/je