

Mayor Ronald E. Hutto
Commissioner Brenda K. Butters
Commissioner Gregory N. Thompson

**CITY COMMISSION MEETING
Winfield, Kansas**

DATE: Monday, April 04, 2022
TIME: 5:30 p.m.
PLACE: City Commission – Community Council Room – First Floor – City Building

AGENDA

CALL TO ORDER..... Mayor Ronald E. Hutto
ROLL CALL.....City Clerk, Brenda Peters
MINUTES OF PRECEDING MEETING.....Thursday, March 17, 2022

PROCLAMATION

-Proclaiming the Month of April as Fair Housing Month

PUBLIC HEARING

-Regarding the issuance of Taxable Industrial Revenue Bonds (Petra Winfield Residences Project), in a principal amount not to exceed \$27,550,000 and an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds.

BUSINESS FROM THE FLOOR

-Citizens to be heard

NEW BUSINESS

Ordinances & Resolutions

Bill No. 2229 - A Resolution – Of the Governing Body of the City of Winfield, Kansas determining the advisability of issuing Taxable Industrial Revenue Bonds for the purpose of financing the acquisition, construction, and equipping of a commercial facility to be located in the city; and authorizing execution of related documents.

Bill No. 2230 - An Ordinance – Accepting and authorizing the filing of the final plat of Petra Win Residences, a Subdivision in the Northeast Quarter of Section 33, Township 32 South, Range 4 East of the 6th P.M., Cowley County, Kansas.

Bill No. 2231 - A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application. (Island Park Productions)

OTHER BUSINESS

-Consider approval for 2022 substation technical support program with Southwest Electric Company.

ADJOURNMENT

-Next regular work session 4:00 p.m. Thursday April 14, 2022
-Next regular meeting 5:30 p.m. Monday, April 18, 2022.

CITY COMMISSION MEETING MINUTES
Winfield, Kansas
March 17, 2022

The Board of City Commissioners met in regular session, Thursday, March 17, 2022 at 5:30 p.m. in the City Commission-Community Council Meeting Room, City Hall; Mayor Ronald E. Hutto presiding. Commissioners Gregory N. Thompson and Brenda K. Butters were also present. Also in attendance were Taggart Wall, City Manager; Brenda Peters, City Clerk and William E. Muret, City Attorney. Other staff member present was Eric Archambeau.

Mayor Hutto noted all Commissioners were present.

Commissioner Butters moved that the minutes of the March 7, 2022 meeting be approved. Commissioner Thompson seconded the motion. With all Commissioners voting aye, motion carried.

PROCLAMATION

-Mayor Hutto presented a proclamation to Eric Archambeau proclaiming April 3rd, through April 9th, 2022, as Spring Beautification Week.

BUSINESS FROM THE FLOOR

-Michael Kelly, 2909 Cabrillo Dr, appeared before the Commission to talk about property taxes and the Mill Levy.

NEW BUSINESS

Bill No. 2225 – An Ordinance – Approving the form of and authorizing the execution of an interlocal Cooperation Agreement respecting certain T Hangar Improvements at Strother Field Airport/Industrial Park. City Manager Wall explains this Ordinance authorizes City of Winfield and the City of Arkansas City to enter into an agreement relating to bond issuance for improvements at Strother Field. Upon motion by Commissioner Thompson, seconded by Commissioner Butters, all Commissioners voting aye, Bill No. 2225 was adopted and numbered Ordinance No. 4178.

Bill No. 2226 - An Ordinance – Approving the form of and authorizing the execution of an interlocal Cooperation Agreement respecting certain warehouse facility improvements at Strother Field Airport/Industrial Park. City Manager Wall explains this Ordinance authorizes City of Winfield and the City of Arkansas City to enter into an agreement relating to bond issuance for improvements at Strother Field. Upon motion by Commissioner Butters, seconded by Commissioner Thompson all Commissioners voting aye, Bill No. 2226 was adopted and numbered Ordinance No. 4179.

Bill No. 2227 - A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application (Midwest Moos, Inc.) City Manager Wall explains this Resolution will approve a Temporary Entertainment District Application for Midwest Moos, at the Broadway Complex. Upon motion by Commissioner Thompson, seconded by Commissioner Butters, all Commissioners voting aye, Bill No. 2227 was adopted and numbered Resolution No. 2122.

Bill No. 2228 - A Resolution – Authorizing an Outdoor Community Event and Temporary Entertainment District Application (Old Skool Productions) City Manager Wall explains this Resolution will approve a Temporary Entertainment District Application for Old Skool Productions at the Winfield Fairgrounds. Upon motion by Commissioner Butters, seconded by Commissioner Thompson, all Commissioners voting aye, Bill No. 2228 was adopted and numbered Resolution No. 2222.

OTHER BUSINESS

- Consider CMB License Application for Midwest Moos, Broadway Complex. Commissioner Thompson made a motion that the CMB license application for Midwest Moos be approved. Motion was seconded by Commissioner Butters. With all Commissioners voting aye, motion carried.

- Consider CMB License Application for Old Skool Productions. Commissioner Butters made a motion that the CMB license application for Old Skool Productions be approved. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

- Park Equipment Purchases. City Manager Wall explains this is for (2) ZTR Hustler Mowers from Grouse Valley Equipment, and a utility vehicle from John Deere. Commissioner Thompson made a motion to approve the Park equipment purchases as presented. Motion was seconded by Commissioner Butters. With all Commissioners voting aye, motion carried.

- Various Skid Steer Leases. City Manager Wall explains this would be four individual, five year, agreements for replacement of skid-loaders currently in our fleet. Cost for all loaders are not to exceed a total amount of \$23,086.14. Commissioner Butters made a motion to approve the skid steer leases as presented. Motion was seconded by Commissioner Thompson. With all Commissioners voting aye, motion carried.

-Executive Session pursuant to the consultation with the City Attorney matter exception. Commissioner Thompson moved the City Commission recess into Executive Session for consultation with the City attorney and the City Manager which would be deemed privileged in the attorney-client relationship pursuant to the consultation with the City attorney matter exception, K.S.A. 75-4319 (b)(2). Commissioner Butters seconded the motion, all Commissioners voting aye, the motion passed. The open meeting will reconvene in the Community Council Room at 6:00 pm.

ADJOURNMENT

Upon motion by Commissioner Thompson, seconded by Commissioner Butters, all Commissioners voting aye, the meeting adjourned at 6:00 p.m.

Signed and sealed this 29th day of March 2022.

Signed and approved this 4th day of April 2022.

Brenda Peters, City Clerk

Ronald E. Hutto, Mayor

PROCLAMATION

WHEREAS, Title VI of the landmark Civil Rights Act of 1964 provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity received Federal financial assistance.”

WHEREAS, Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendments Act, which: expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women); established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

WHEREAS, the denial of equal housing opportunity is one of the most serious challenges a community can face. It is a challenge that must be met and surmounted lest it erode the vital social structure that holds a community together and gives it shape and dimension. The need for shelter is an essential human need. The right to freely choose a place to live is a basic human right and discrimination in housing is not only against the law, but contrary to our sense of what our country should mean to us and to others.

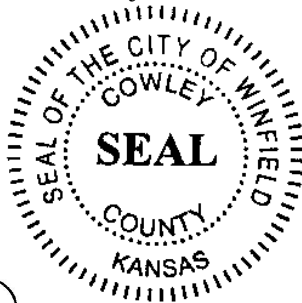
WHEREAS, in support of equal housing opportunity, the City of Winfield has established a Fair Housing contact whose functions include receiving complaints regarding alleged violations of jurisdictional fair housing policies and attempting to resolve legitimate grievances through conference and conciliation at the local level if possible.

WHEREAS, there are voluntary programs in support of fair housing that we as concerned citizens can encourage at every level in our community and in our jobs. There are personal and professional attitudes that we can and must change. These efforts are to make fair housing choice a basic right for our neighbors and ourselves.

NOW, THEREFORE, I, Ronald E Hutto, Mayor of the City of Winfield, Kansas, do hereby designate the month of April 2021 as

FAIR HOUSING MONTH

in the City of Winfield, Kansas, and urge all citizens to join in this observance by resolving to fight discrimination in our personal lives, and by making ourselves aware of the Fair Housing Act and the ways in which it applies to our community.



ATTEST:

Brenda Peters

Brenda Peters, City Clerk

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Winfield, Kansas to be affixed this 4th day of April 2022.

Ronald E. Hutto

Ronald E. Hutto, Mayor

(Published in the *Cowley Courier Traveler*, March 25, 2022)

**NOTICE OF PUBLIC HEARING
AND OF
ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS**

Public notice is hereby given that the City Commission of the City of Winfield, Kansas (the "Issuer"), will conduct a public hearing on April 4, 2022 at 5:30 p.m., or as soon thereafter as may be heard at the Community Council Room on the first floor of the City Hall, 200 E. 9th Avenue, Winfield, Kansas, in regard to the issuance by the Issuer of its Taxable Industrial Revenue Bonds (Petra Winfield Residences Project), in a principal amount not to exceed \$27,550,000 (the "Bonds") and in regard to an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the Issuer under authority of K.S.A. 12-1740 *et seq.*, as amended, to pay the costs of the acquisition, construction, and equipping of eight (8) buildings with approximately 200 units of multifamily housing to be located at the southwest corner of the intersection of 19th Avenue and Broadway Street in the City. The Issuer further intends to lease such facility to Petra Winfield Residences, LLC, a Kansas limited liability company (the "Tenant"). The governing body of the Issuer will not pass an ordinance authorizing the issuance of such revenue bonds until the public hearing has been concluded.

Notice is further given, in accordance with K.S.A. 12-1744e, that the Issuer intends to issue the Bonds and lease the facility to the Tenant as set out above.

A copy of this Notice, together with a copy of the inducement resolution of the Issuer to be considered for adoption on April 4, 2022, indicating the intent of the governing body of the Issuer to issue such Bonds and a report analyzing the costs and benefits of such property tax exemption are on file in the office of the Clerk, or will be as soon as completed, and available for public inspection during normal business hours.

All persons having an interest in this matter will be given an opportunity to be heard at the time and place above specified.

Dated: March 25, 2022

CITY OF WINFIELD, KANSAS

Brenda Peters, Clerk

BILL NO. 2229

RESOLUTION NO. 2322

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION, AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

WHEREAS, the City of Winfield, Kansas (the "Issuer") desires to promote, stimulate and develop the general economic welfare and prosperity of the City of Winfield, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the "Act"), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$27,550,000 be authorized and issued, in one or more series, to provide funds to pay the costs of the acquisition, construction, and equipping of a commercial facility (the "Project") to be located in the Issuer and to be leased by the Issuer to Petra Winfield Residences, LLC, a Kansas limited liability company, (the "Tenant").

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

Section 1. Public Purpose. The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.

Section 2. Authorization to Acquire Project; Intent to Issue Bonds. The Issuer is hereby authorized to proceed with the acquisition, construction, and equipping of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$27,550,000 (the "Bonds") to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. Conditions to Issuance of Bonds. The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Trust Indenture, Site Lease, Project Lease, Bond Purchase Agreement or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the "Purchaser"), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; (f) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) expenses of the Issuer and the Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals;

and (g) the execution and delivery by the Tenant of an agreement for payment in lieu of taxes in substantially the form presented to the governing body of the Issuer with this Resolution.

Section 4. Property Tax Exemption and Payment in Lieu of Taxes. The Issuer hereby determines that pursuant to the provisions of K.S.A. 79-201a *Twenty-Fourth*, the Project, to the extent purchased or constructed with the proceeds of the Bonds, should be exempt from payment of 90% of the ad valorem property taxes for seven (7) years commencing with the year following the year in which the Bonds are issued, provided proper application is made therefor; provided no exemption may be granted from the ad valorem property tax levied: (a) by a school district pursuant to the provisions of K.S.A. 72-53,113, and amendments thereto; and (b) for the uses restricted pursuant to the provisions of K.S.A. 79-201a, *Second* and *Twenty-Fourth*. In making such determination the governing body of the Issuer has conducted the public hearing and reviewed the analysis of costs and benefits of such exemption required by K.S.A. 12-1749d. The Tenant is responsible for preparing such application and providing the same to the Issuer for its review and submission to the State Board of Tax Appeals. The tax exemption granted is subject to the execution and delivery by the Tenant of an agreement for payment in lieu of taxes in substantially the form presented to the governing body of the Issuer with this Resolution.

Section 5. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq.* (the "Sales Tax Act"), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 6. Reliance by Tenant; Limited Liability of Issuer. It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures made not more than 60 days prior to the date this Resolution is adopted. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 7. Execution and Delivery of Bond Purchase Agreement. At such time as the Tenant has demonstrated compliance with the provisions of this Resolution, the Mayor and City Clerk are authorized to execute a bond purchase agreement with the Purchaser and the Tenant for the sale of the Bonds in a form satisfactory to the City Attorney and Bond Counsel.

Section 8. Further Action. The Clerk is hereby authorized to deliver an executed copy of this Resolution to the Tenant. The Mayor, Clerk and other officials and employees of the Issuer, including the Issuer's counsel and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; and (b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act.

Section 9. Effective Date. This resolution shall become effective upon adoption by the Governing Body.

ADOPTED by the governing body of the City of Winfield, Kansas on April 4, 2022.

[SEAL]

Ronald E. Hutto, Mayor

Attest:

Brenda Peters, City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on April 4, 2022, as the same appears of record in my office.

DATED: _____ 2022.

Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF WINFIELD, KANSAS
HELD ON APRIL 4, 2022**

The governing body met in regular session at the usual meeting place in the City on April 4, 2022, at 5:30 p.m., the following members being present and participating, to wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Among other business, in accordance with a notice published on March 25, 2022, in the *Cowley Courier Traveler*, a public hearing was held by the governing body relating to the proposed issuance of Taxable Industrial Revenue Bonds (Petra Winfield Residences Project) in a principal amount not to exceed \$27,550,000 (the "Bonds") and regarding an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. All interested persons were afforded an opportunity to present their views on the issuance of the Bonds, the location and nature of the Project to be financed with the proceeds of the Bonds and the exemption from ad valorem taxation. Thereupon, the public hearing was closed.

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WINFIELD,
KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE
INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE
ACQUISITION, CONSTRUCTION, AND EQUIPPING OF A COMMERCIAL
FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION
OF RELATED DOCUMENTS**

Thereupon, Commissioner _____ moved that the Resolution be adopted. The motion was seconded by Commissioner _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Winfield, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Clerk

March 25, 2022

Board of Education
Unified School District No. 465
1407 Wheat Road
Winfield, Kansas 67156

County Clerk
Board of County Commissioners
Cowley County Courthouse
311 E. 9th
Winfield, Kansas 67156

Re: Not to Exceed \$27,550,000
City of Winfield, Kansas
Taxable Industrial Revenue Bonds
(Petra Winfield Residences Project)

We have enclosed for your information a Notice of the Public Hearing and Issuance of Industrial Revenue Bonds proposed by the City of Winfield, Kansas pursuant to K.S.A. 12-1749c and K.S.A. 12-1749d, as amended.

Very truly yours,

CITY OF WINFIELD, KANSAS

Brenda Peters, Clerk

Enclosure

AFFIDAVIT OF MAILING AND PUBLICATION

I, the undersigned, of lawful age, upon oath or affirmation, hereby declare under the penalties of perjury:

1. I am the duly appointed and acting Clerk of the City of Winfield, Kansas, and I was the duly appointed and acting Clerk at all times referred to in this affidavit.

2. On March 25, 2022, I mailed a letter and attached Notice of Public Hearing addressed as follows:

Board of Education
Unified School District No. 465
1407 Wheat Road
Winfield, Kansas 67156

County Clerk
Board of County Commissioners
Cowley County Courthouse
311 E. 9th
Winfield, Kansas 67156

The foregoing items were mailed by first-class mail with adequate postage. Each envelope was endorsed with the return address of my office. Copies of the letter and notice mailed are attached to this affidavit.

3. Neither package was returned undelivered.

4. The Notice of Public Hearing mailed as stated above was published once in the *Cowley Courier Traveler*, the official City newspaper, on March 25, 2022, which date was at least seven days prior to the date the public hearing was held. A true copy of the affidavit of publication of the Notice of Hearing is attached to this affidavit.

Brenda Peters, Clerk

STATE OF KANSAS)
) SS:
COUNTY OF COWLEY)

Subscribed and sworn or affirmed before me this ____ day of _____, 2022.

[SEAL]

Notary Public

My Appointment Expires:

Typed or Printed Name of Notary Public

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

This Agreement, entered into as of March ___, 2022 between the City of Winfield, Kansas (the "Issuer") and Petra Winfield Residences, LLC (the "Tenant");

WITNESSETH THAT:

1. **Tax Exemption; Payment in Lieu of Taxes.** In consideration of (i) the issuance by the Issuer of its Taxable Industrial Revenue Bonds, Series 2022 (Petra Winfield Residences Project), in the principal amount not to exceed \$27,550,000 (the "Bonds") to finance the acquisition, construction, and equipping of a certain commercial multifamily housing facility (the "Project") to be leased by the Issuer to the Tenant, (ii) the Tenant's execution of the lease of the Project financed with the proceeds of the Bonds, (iii) the laws of the State of Kansas affording exemption from *ad valorem* property taxation for the portion of the Project acquired, purchased or constructed with the proceeds of the Bonds for a period commencing with the year after calendar year in which bonds are issued, and (iv) the agreement by the Issuer to apply for the exemption if the payments provided for herein are made, the Tenant agrees to make payments in lieu of *ad valorem* property taxes in the amounts specified herein, in the manner provided for herein.

2. **Amount of Payments; Place of Payment.** In lieu of general *ad valorem* property taxes on the Project for the seven (7) calendar years following the year in which the Bonds are issued, other than special assessments levied on account of special benefits, the Tenant shall pay by separate check to the Treasurer of Cowley County, Kansas, or other appropriate office as directed by the Issuer, on or before December 20 in each of the years, with the privilege of half payment as provided by law for general *ad valorem* taxes, a payment in lieu of taxes equal to 10% of *ad valorem* tax otherwise payable in respect of the Project to be distributed as and for a part of the general *ad valorem* tax collections for all taxing subdivisions in which the Project is located.

The amount of the payment in lieu of taxes will be determined in the same manner and according to the same statutory procedure as general *ad valorem* taxes, real and personal, as the case may be, are determined, using the valuations determined by the Cowley County Appraiser's office. The payments shall be distributed to all applicable taxing subdivisions in Cowley County as provided in K.S.A. 12-1742.

3. **Reduction of Payment for Actual Taxes Paid.** Except for the *ad valorem* taxes described in **Section 4** herein, the annual amount to be paid pursuant to **Section 2** herein shall be reduced (but not below zero) by any actual *ad valorem* tax payments paid in respect of the real property constituting a part of the Project by or on behalf of the Tenant for any given year.

4. **No Exemption for Special Assessments and Capital Outlay Levy.** All special assessments and the unified school district's capital outlay levy provided in K.S.A. 72-53,113 that is levied against the real property portion of the Project, if any, will not abate and will continue to be the obligation of the Tenant, payable in the manner provided by law.

5. **Failure to Make Payment in Lieu of Taxes.** Should the Tenant fail to make the payments required above, penalties and/or interest will be assessed against the Tenant by the Cowley County Treasurer in accordance with applicable state laws relating to late tax payments. If the Tenant fails to make a payment required by this Agreement and the failure shall continue for one year, this Agreement shall be

deemed terminated effective as of December 20 in the year the payment was originally due, and Tenant agrees that from and after the termination date, it shall pay in full the regular amount of *ad valorem* real estate and personal property taxes on the property constituting the Project.

6. **Approval of Exemption.** This Agreement is conditioned on the issuance by the Board of Tax Appeals of the State of Kansas of an order exempting the bond-financed portion of the Project from *ad valorem* taxation in accordance with Kansas law, including particularly K.S.A. 79-201a *Twenty-Fourth*.

7. **Counterparts.** This Agreement may be executed simultaneously and several counterparts, each of which shall be deemed to be an original and all of which shall constitute the same instrument.

8. **Transferability.** The benefits of this Agreement may be transferred to any assignee of the Project Lease made in accordance with the provisions of the Project Lease between the Issuer and the Tenant.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Issuer has caused this Agreement to be signed by a duly authorized official, the signature to be attested by a duly authorized officer and its official seal to be applied, and the Tenant has caused this Agreement to be signed on its behalf by a duly authorized officer, the signature attested by a duly authorized officer, and its corporate seal (if any) to be applied, as of the day and year first above written.

CITY OF WINFIELD, KANSAS

By: _____
Ronald E. Hutto, Mayor

[SEAL]

ATTEST:

Brenda Peters, City Clerk

PETRA WINFIELD RESIDENCES, LLC

By: _____
Name:
Title:

A Tax Abatement Cost-Benefit Analysis of Petra Winfield Residences,LLC for the City of Winfield

Completed by
Municipal Consulting, LLC
3/8/2022

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ABOUT THIS REPORT:

This report uses data that was collected from the firm involved and budget reports from each of the taxing entities where the project is to be located. This data is summarized on pages 4 and 5. In addition, various calculations were applied to the data using rates and information gathered from the current economic and financial conditions, as well as data published by the Kansas Department of Revenue.

DEFINITIONS USED:

- **Rate of Return:** Incentives and tax abatements granted by the taxing entities are equivalent to a public investment in the firm. Comparing these investments to the various benefits received over the 10-year project period by the public entity produces an average annual rate of return for the period. Generally, a rate of return that exceeds the entity's cost of capital would be considered a favorable investment.
- **Net Present Value:** This is the amount that a future series of payments is worth today, given an assumed discount rate. The only way to accurately compare payments to be made or received in the future to the dollar value at present is with Net Present Value. Generally a positive net present value represents an acceptable investment opportunity.
- **Benefit - Cost Ratio:** Typically referred to as the "Cost-Benefit Ratio," this is the ratio of the public entity benefits received over the 10-year project life to the public costs incurred over the same period. If the ratio is above 1.0, then the benefits exceed the costs, and if it is less than 1.0, the costs exceed the benefits. Generally, a public entity would like to have a Benefit-to-Cost ratio of 1.3 or better in order to grant a tax abatement and/or other incentives. However, the governing body may take into account the other economic benefits of the project in making that decision.

DISCLAIMER:

This report is prepared using a variety of assumptions regarding discount rate, inflation rate, and other economic variables. It also uses information submitted by the firm based on its best estimates of what they expect to occur in the next decade. Future business results and economic factors are not and cannot be guaranteed. Therefore, we provide no guarantee on the future performance of the firm, or that conditions within the taxing entities will remain as they are today. The governing body should make its decision on the best information presented, while fully recognizing that future performance could be substantially different.

COMMENTS SPECIFIC TO THIS PROJECT:

The overall costs and benefits for each taxing entity are:

Taxing Entity	Benefit to Cost Ratio	Average Return on Investment
City of Winfield	3.75	28%
Cowley County	1.96	10%
Winfield USD 465	8.02	70%
Cowley College	4.26	33%
USD 465 Rec. Comm.	2.48	10%
State of Kansas	1.82	8%

Each of the taxing entities has a positive benefit-to-cost ratio in excess of the desired 1.3. This report assumes that the City will approve a 90% property tax abatement for 7 years. This report assumes that the firm will obtain a sales tax exemption on construction materials and that the existing sales tax rates for the city, county and state will remain the same. We point out that the main benefits of this project come from the new residents in the city rather than the number of jobs created.

If you have any questions or comments, you may reach me with the contact information below.

R. Steven Robb, Sole Owner
Municipal Consulting, LLC
Cell: 620-704-6495 E-Mail: steverobb@ckt.net
2207 N. Free King Hwy, Pittsburg, KS 66762-8418

Column1	Column2	Column3	Column4	Column5	Column6
COST-BENEFIT ANALYSIS PROJECT SUMMARY					
PROJECT NAME:	Petra Winfield Residences,LLC				
DATE:			3/8/2022		
GOVERNMENTAL ENTITIES INVOLVED:					
CITY:			City of Winfield		
COUNTY:			Cowley County		
SCHOOL DISTRICT:			Winfield USD 465		
SPECIAL TAXING DISTRICT #1			Cowley College		
SPECIAL TAXING DISTRICT #2			USD 465 Rec. Comm.		
STATE:			State of Kansas		
INFLATION RATE:		2.20%	DISCOUNT RATE:		2.58%
PROJECT SUMMARY:					

This project consists of the construction of a 203 unit apartment complex on land that is to be provided by the city. The estimated construction cost is \$26,100,000. The complex will consist of 95 one-bedroom apartments, 96 two-bedroom and 12 three-bedroom apartments. The developer is requesting a 90% property tax abatement for seven years. The project will also create two new permanent jobs with an average salary well above the county average salary.

ASSUMPTIONS AND COMMENTS:

1. The assumed inflation rate is the last 5-year moving average.
2. The discount rate for each taxing entity is equal to the average cost of its outstanding debt.
3. Household utility profits are estimated to be 70% of the total utility profits.
4. The average wage for new resident households is assumed to be the county average wage.
5. The city sales tax revenues are based on actual sales tax collections in 2021.

Petra Winfield Residences, LLC

Column1	Column2	Column3	Column4	Column6	Column7	Column11
Community Data Inputs:						
	City of Winfield	Cowley County	Winfield USD 465	Cowley College	USD 465 Rec. Comm.	State
Mill Levy	54.693000	48.626000	49.538000	20.399000	4.664000	1.500
Sales Tax	2.000%	0.000%	n/a	n/a	n/a	6.50%
Transient Guest Tax	6.00%	0.00%	n/a	n/a	n/a	n/a
Utility Revenue/HsHld	\$1,400.94	n/a	n/a	n/a	n/a	n/a
Franchise Fees/HsHld	\$0.00	n/a	n/a	n/a	n/a	n/a
Other Revenues/Res.	\$1,104.77	\$136.33	n/a	\$402.69	\$47.07	\$1,511.19
Marg. Cost/Res./Student	\$385.10	\$41.89	\$2,043.99	\$50.74	\$13.44	\$654.19
Other Revenues/Worker	\$1,003.32	\$123.81	n/a	\$365.71	\$42.75	\$1,296.05
Marginal Cost/New Worker	\$349.74	\$38.04	n/a	\$46.08	\$12.21	\$561.06
State Funding/Pupil	n/a	n/a	\$11,358.40	n/a	n/a	\$10,173
Federal&Local Funding/Pupil	n/a	n/a	\$9,081.49	n/a	n/a	\$1,022
Visitor Daily Spending	\$40.00	\$45.00				\$75.00
Average Hotel Room Rate	\$70	\$70		Total Mill Levy		n/a
Retail Pull Factor	0.86	0.72		179.42		n/a
Percent of County Share	9.00%	100.00%				n/a
Ann. Local Per Capita Sales/Use Tax	\$300	\$0				n/a
Ann. State Per Capita Sales/Use Tax	\$896	\$749				\$1,078
Annual Per Capita Retail Sales	\$13,786	\$11,518				\$16,581
Average Household Size	2.37	2.48				2.49
Avg. Wage-All Occupations	\$44,447	\$44,447				\$48,609

Petra Winfield Residences, LLC

Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9	Column10	Column11	Column12	Column13	Column14	Column15
Firm Data Inputs:				Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Totals
Investment in Land				\$50,000										\$50,000
Investment in Building Construction				\$26,100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$26,100,000
Investment in FFE				\$0										\$0
Other Project Costs*				\$2,400,000										\$2,400,000
Total Project Investment				\$28,550,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$28,550,000
Value of Land Contributed by the City			\$0	\$50,000	\$0	\$0								\$50,000
	Growth	Const. Per.	Yr. 1	Yr. 2	Yr. 3	Yr. 4	Yr. 5	Yr. 6	Yr. 7	Yr. 8	Yr. 9	Yr. 10	Total	
Sales	0.00%		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Purchases	0.00%		\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000	\$800,000	
Net Utility Profit-New Households	3.00%	\$0	\$99,537	\$153,784	\$200,637	\$206,656	\$212,856	\$219,242	\$225,819	\$232,593	\$239,571	\$246,758	\$2,037,454	
Net City Utility Profit-Firm	3.00%	\$1,488	\$1,743	\$1,795	\$1,849	\$1,905	\$1,962	\$2,021	\$2,081	\$2,144	\$2,208	\$2,274	\$21,469	
Franchise Fees - Firm	3.00%	\$0	\$255	\$263	\$271	\$279	\$287	\$296	\$305	\$314	\$323	\$333	\$2,924	
New Employee Households			0	2	0	0	0	0	0	0	0	0	0	2
Total New Resident Households			0%	102	51	41	0	0	0	0	0	0	0	193
Households new to the city			90%	93	46	37	0.0	0.0	0.0	0.0	0.0	0.0	0.0	175
Households new to the county			95%	96	48	39	0.0	0.0	0.0	0.0	0.0	0.0	0.0	183
Households new to the state			5.0%	5	3	2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10
New students in K-12			50%	47	23	18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	88
K-12 Students New to the State				3	1	1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	5
New employee average salary			2.20%	\$50,000	\$51,100	\$52,224	\$53,373	\$54,547	\$55,747	\$56,974	\$58,227	\$59,508	\$60,817	N/A
Tax Abatement-Land				90%	90%	90%	90%	90%	90%	90%	0%	0%	0%	N/A
Tax Abatement-Bldg.				90%	90%	90%	90%	90%	90%	90%	0%	0%	0%	N/A
Visitors	0.0%	0	400	400	400	400	400	400	400	400	400	400	400	4,000
				City	County	State								
Percentage of sales taxable in the				0%	0%	0%								
Percentage of purchases taxable in the				10%	75%	90%								
Assumed Inflation Rate				2.20%										

* Includes legal, permits, licenses, bond fees and other soft costs

1. We estimate that 50% of the units would be rented in Year 1, 75% in Year 2 and 95% in Years 3-10.
2. We assume that the utility payments for each unit would be 70% of the typical individual house amount.
3. We assume that the average wage of the new residents would be equal to the average county wage from the 2021 Kansas Wage Survey.

Column1	Column2	Column3	Column4	Column5	Column6	Column7	Column8	Column9
COST-BENEFIT ANALYSIS PROJECT SUMMARY								
PROJECT NAME:	Petra Winfield Residences, LLC					Ratio of		
DATE:		3/8/2022				NPV of Net		
				Net	NPV	Benefits to	Actual	Avg.
				Present	of	NPV of	Benefit to	Annual
		Total		Value	Incentives	Incentives	Actual	Rate
	Total	Costs &	Net	of Net	& Taxes	and Taxes	Cost	of
Entity	Benefits	Incentives	Benefits	Benefits	Abated	Abated	Ratio	Return
City of Winfield	\$9,945,559	\$2,652,003	\$7,293,556	\$6,264,289	\$849,650	7.37	3.75	28%
Cowley County	\$1,927,027	\$982,553	\$944,474	\$767,197	\$699,411	1.10	1.96	10%
Winfield USD 465	\$20,309,250	\$2,532,080	\$17,777,170	\$15,359,798	\$609,907	25.18	8.02	70%
Cowley College	\$2,414,825	\$566,418	\$1,848,407	\$1,509,025	\$289,086	5.22	4.26	33%
USD 465 Rec. Comm.	\$342,912	\$138,057	\$204,855	\$174,123	\$68,191	2.55	2.48	10%
State of Kansas	\$1,389,453	\$762,516	\$626,937	\$622,294	\$21,931	28.38	1.82	8%
Totals	\$36,329,027	\$7,633,627	\$28,695,399	\$24,696,726	\$2,538,177	9.730	4.76	n/a

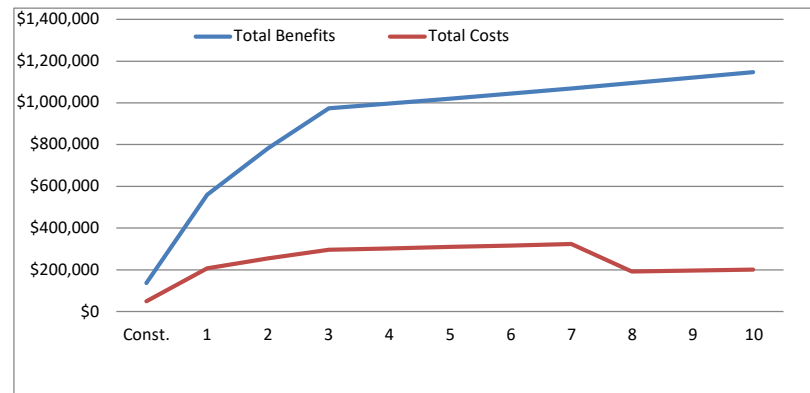
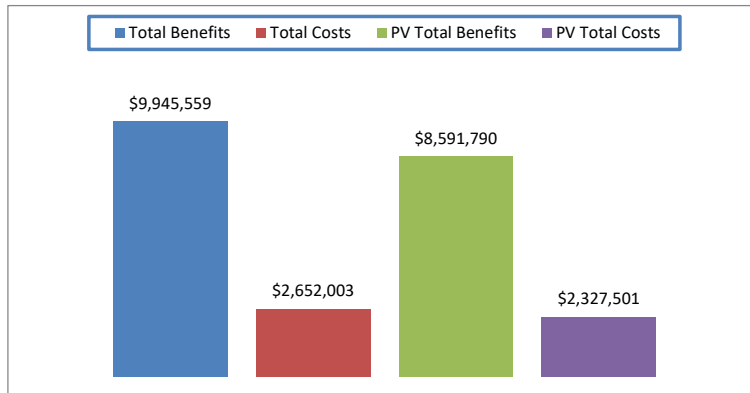
SUMMARY OF COSTS AND BENEFITS FOR:
PROJECT: Petra Winfield Residences, LLC
DATE: 3/8/2022

City of Winfield

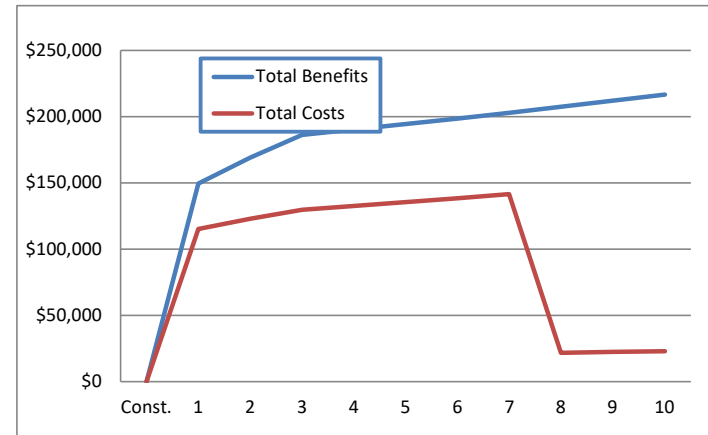
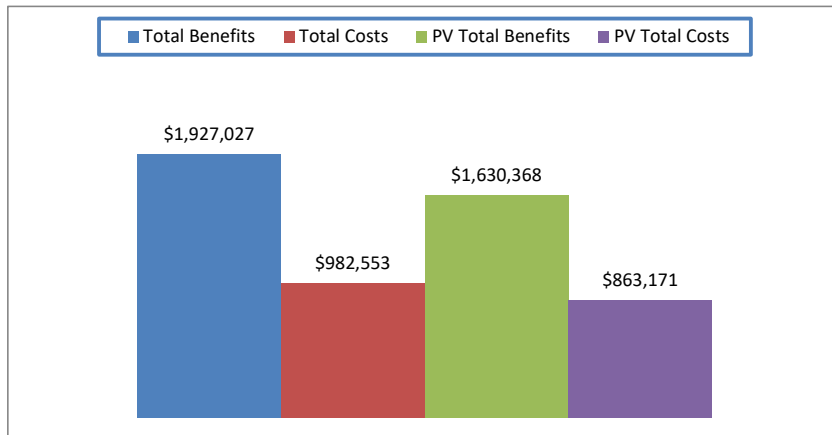
DISCOUNT RATE: 2.58%

Ratio of Actual Benefits to Actual Costs Over the 10-Year Period: 3.75
Ratio of Present Value of Total Benefits to Present Value of Total Costs: 3.69
Average ROI 27.50%
(Typical desired ratio would be 1.3 to 1)

Year	Sales and Transient Guest Taxes	New Firm Property Taxes	Utilities and Franchise Fees	New Housing Property Taxes	Other City Revenues	Total Benefits	Net Present Value of Total Benefits	Incentives and Cost of Various City Services	Property Taxes Abated	Current Property Taxes Lost	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Net Present Value of Incentives & Taxes Abated
Const.	\$135,013	\$0	\$1,488	\$0	\$0	\$136,501	\$136,501	\$50,000	\$0	\$0	\$50,000	\$50,000	\$86,501	\$86,501	\$86,501	\$50,000
1	\$72,233	\$131,643	\$101,535	\$0	\$254,405	\$559,816	\$545,751	\$88,681	\$118,479	\$0	\$207,160	\$201,955	\$352,656	\$439,157	\$343,796	\$115,502
2	\$107,753	\$134,539	\$155,842	\$0	\$384,912	\$783,048	\$744,194	\$134,173	\$121,086	\$0	\$255,259	\$242,593	\$527,789	\$966,946	\$501,601	\$115,077
3	\$137,866	\$137,499	\$202,757	\$0	\$495,508	\$973,629	\$902,071	\$172,724	\$123,749	\$0	\$296,474	\$274,684	\$677,155	\$1,644,101	\$627,387	\$114,654
4	\$140,895	\$140,524	\$208,840	\$0	\$506,409	\$996,668	\$900,216	\$176,524	\$126,472	\$0	\$302,996	\$273,674	\$693,671	\$2,337,772	\$626,542	\$114,233
5	\$143,991	\$143,616	\$215,105	\$0	\$517,550	\$1,020,262	\$898,374	\$180,408	\$129,254	\$0	\$309,662	\$272,668	\$710,599	\$3,048,372	\$625,706	\$113,813
6	\$147,156	\$146,775	\$221,558	\$0	\$528,936	\$1,044,425	\$896,544	\$184,377	\$132,098	\$0	\$316,475	\$271,665	\$727,950	\$3,776,322	\$624,879	\$113,394
7	\$150,389	\$150,004	\$228,205	\$0	\$540,572	\$1,069,171	\$894,728	\$188,433	\$135,004	\$0	\$323,437	\$270,666	\$745,734	\$4,522,055	\$624,062	\$112,977
8	\$153,694	\$153,305	\$235,051	\$0	\$552,465	\$1,094,515	\$892,924	\$192,579	\$0	\$0	\$192,579	\$157,109	\$901,936	\$5,423,992	\$735,815	\$0
9	\$157,072	\$156,677	\$242,102	\$0	\$564,619	\$1,120,471	\$891,133	\$196,816	\$0	\$0	\$196,816	\$156,531	\$923,656	\$6,347,647	\$734,602	\$0
10	\$160,524	\$160,124	\$249,365	\$0	\$577,041	\$1,147,055	\$889,355	\$201,145	\$0	\$0	\$201,145	\$155,956	\$945,909	\$7,293,556	\$733,399	\$0
Total	\$1,506,587	\$1,454,708	\$2,061,847	\$0	\$4,922,417	\$9,945,559	\$8,591,790	\$1,765,861	\$886,142	\$0	\$2,652,003	\$2,327,501	\$7,293,556	\$7,293,556	\$6,264,289	\$849,650



SUMMARY OF COSTS AND BENEFITS FOR: Cowley County								Ratio of Actual Benefits to Actual Costs Over the 10-Year Period: 1.96							
PROJECT: Petra Winfield Residences, LLC								Ratio of Present Value of Total Benefits to Present Value of Total Costs: 1.89							
DATE: 3/8/2022				DISCOUNT RATE: 3.00%				(Typical desired ratio would be 1.3 to 1) Average ROI 9.61%							
Year	Sales and Transient Guest Taxes	New Firm Property Taxes	New Housing Property Tax	Other County Revenues	Total Benefits	Net Present Value of Total Benefits	Incentives and Cost of Various County Services	Property Taxes Abated	Current Property Taxes Lost	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Net Present Value of Taxes Abated
Const.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1	\$0	\$117,040	\$0	\$32,461	\$149,501	\$145,147	\$9,974	\$105,336	\$0	\$115,310	\$111,952	\$34,191	\$34,191	\$33,195	\$102,268
2	\$0	\$119,615	\$0	\$49,445	\$169,060	\$159,355	\$15,193	\$107,654	\$0	\$122,846	\$115,794	\$46,214	\$80,404	\$43,561	\$101,474
3	\$0	\$122,247	\$0	\$63,835	\$186,082	\$170,291	\$19,614	\$110,022	\$0	\$129,636	\$118,636	\$56,445	\$136,850	\$51,656	\$100,686
4	\$0	\$124,936	\$0	\$65,239	\$190,176	\$168,969	\$20,046	\$112,443	\$0	\$132,488	\$117,714	\$57,687	\$194,537	\$51,254	\$99,904
5	\$0	\$127,685	\$0	\$66,675	\$194,360	\$167,656	\$20,487	\$114,916	\$0	\$135,403	\$116,800	\$58,956	\$253,494	\$50,856	\$99,128
6	\$0	\$130,494	\$0	\$68,142	\$198,635	\$166,354	\$20,937	\$117,444	\$0	\$138,382	\$115,893	\$60,253	\$313,747	\$50,461	\$98,358
7	\$0	\$133,365	\$0	\$69,641	\$203,005	\$165,062	\$21,398	\$120,028	\$0	\$141,426	\$114,993	\$61,579	\$375,326	\$50,069	\$97,594
8	\$0	\$136,299	\$0	\$71,173	\$207,472	\$163,780	\$21,869	\$0	\$0	\$21,869	\$17,263	\$185,603	\$560,929	\$146,516	\$0
9	\$0	\$139,297	\$0	\$72,739	\$212,036	\$162,508	\$22,350	\$0	\$0	\$22,350	\$17,129	\$189,686	\$750,615	\$145,378	\$0
10	\$0	\$142,362	\$0	\$74,339	\$216,701	\$161,246	\$22,842	\$0	\$0	\$22,842	\$16,996	\$193,859	\$944,474	\$144,249	\$0
Total	\$0	\$1,293,340	\$0	\$633,687	\$1,927,027	\$1,630,368	\$194,710	\$787,844	\$0	\$982,553	\$863,171	\$944,474	\$944,474	\$767,197	\$699,411



SUMMARY OF COSTS AND BENEFITS FOR:

Winfield USD 465

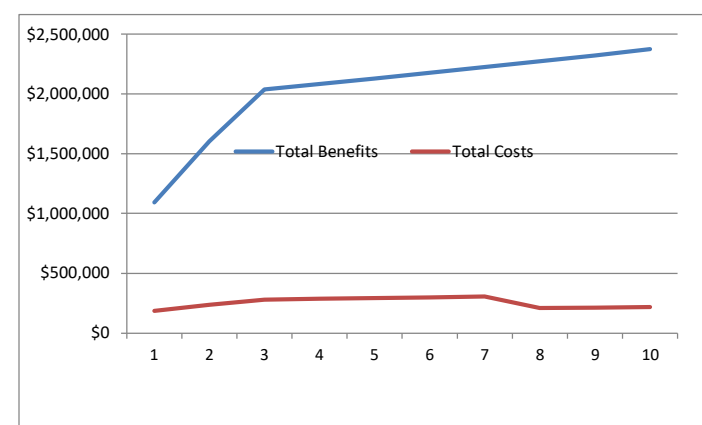
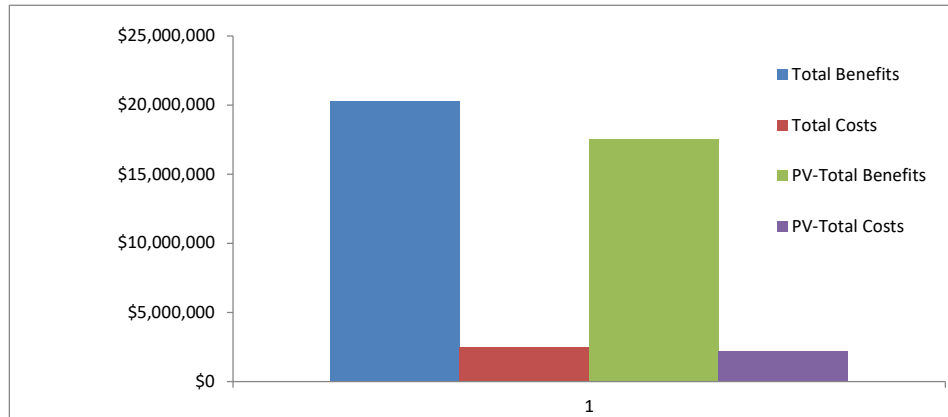
PROJECT: Petra Winfield Residences, LLC

DATE: 3/8/2022

DISCOUNT RATE: 2.498%

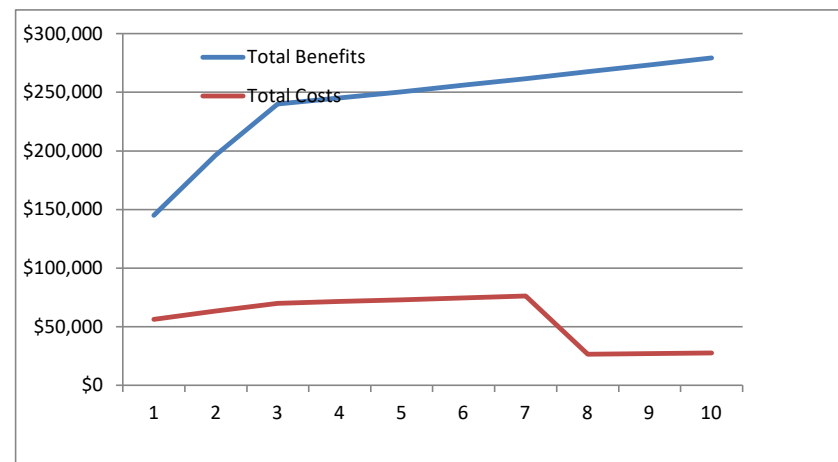
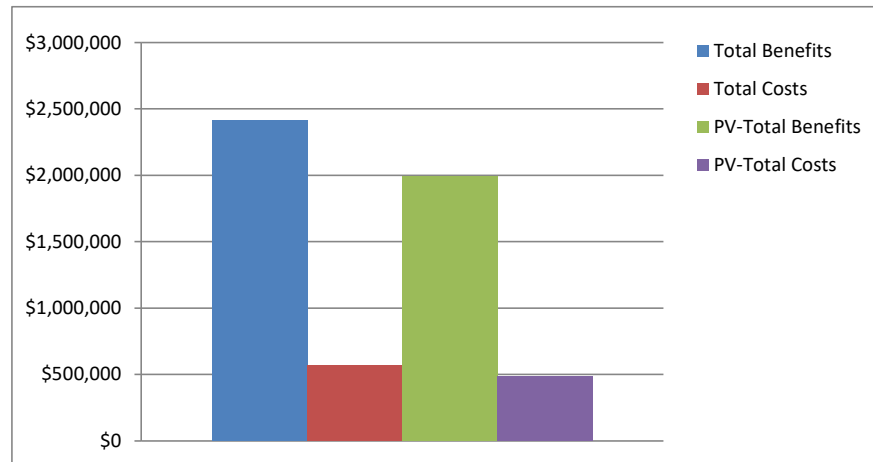
Ratio of Actual Benefits to Actual Costs Over the 10-Year Period: 8.02
Ratio of Present Value of Total Benefits to Present Value of Total Costs: 7.93
(Typical desired ratio would be 1.3 to 1) **Average ROI** 70.21%

Year	New Firm Property Taxes	New Housing Property Taxes	District Capital Outlay Taxes	Additional State, Federal and Other Funding	Total Benefits	Net Present Value of Total Benefits	Marginal Costs of New Students	Current Property Taxes Lost	Property Taxes Abated	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Net Present Value of Taxes Abated
1	\$100,098	\$0	\$19,138	\$972,932	\$1,092,167	\$1,065,550	\$95,199	\$0	\$90,088	\$185,287	\$180,771	\$906,880	\$906,880	\$884,779	\$87,892
2	\$102,300	\$0	\$19,559	\$1,481,897	\$1,603,756	\$1,526,538	\$145,000	\$0	\$92,070	\$237,070	\$225,655	\$1,366,686	\$2,273,567	\$1,300,882	\$87,637
3	\$104,551	\$0	\$19,989	\$1,913,129	\$2,037,669	\$1,892,289	\$187,195	\$0	\$94,096	\$281,290	\$261,221	\$1,756,378	\$4,029,945	\$1,631,067	\$87,382
4	\$106,851	\$0	\$20,429	\$1,955,218	\$2,082,497	\$1,886,787	\$191,313	\$0	\$96,166	\$287,479	\$260,462	\$1,795,019	\$5,824,964	\$1,626,325	\$87,128
5	\$109,201	\$0	\$20,878	\$1,998,233	\$2,128,312	\$1,881,301	\$195,522	\$0	\$98,281	\$293,803	\$259,704	\$1,834,509	\$7,659,473	\$1,621,597	\$86,875
6	\$111,604	\$0	\$21,337	\$2,042,194	\$2,175,135	\$1,875,832	\$199,823	\$0	\$100,443	\$300,267	\$258,949	\$1,874,868	\$9,534,341	\$1,616,882	\$86,622
7	\$114,059	\$0	\$21,807	\$2,087,122	\$2,222,988	\$1,870,378	\$204,219	\$0	\$102,653	\$306,873	\$258,196	\$1,916,115	\$11,450,457	\$1,612,181	\$86,370
8	\$116,568	\$0	\$22,287	\$2,133,039	\$2,271,894	\$1,864,940	\$208,712	\$0	\$0	\$208,712	\$171,327	\$2,063,182	\$13,513,638	\$1,693,614	\$0
9	\$119,133	\$0	\$22,777	\$2,179,966	\$2,321,875	\$1,859,518	\$213,304	\$0	\$0	\$213,304	\$170,828	\$2,108,572	\$15,622,210	\$1,688,690	\$0
10	\$121,754	\$0	\$23,278	\$2,227,925	\$2,372,957	\$1,854,112	\$217,997	\$0	\$0	\$217,997	\$170,332	\$2,154,960	\$17,777,170	\$1,683,780	\$0
Total	\$1,106,119	\$0	\$211,478	\$18,991,653	\$20,309,250	\$17,577,244	\$1,858,283	\$0	\$673,797	\$2,532,080	\$2,217,446	\$17,777,170	\$17,777,170	\$15,359,798	\$609,907



SUMMARY OF COSTS AND BENEFITS FOR:		Cowley College		Ratio of Actual Benefits to Actual Costs Over the 10-Year Period:		4.26
PROJECT:		Petra Winfield Residences, LLC		Ratio of Present Value of Total Benefits to Present Value of Total Costs:		4.12
DATE:		3/8/2022		DISCOUNT RATE:		3.39%
				(Typical desired ratio would be 1.3 to 1)		Average ROI
						32.63%

Year	New Firm Property Taxes	New Housing Property Taxes	Other District Revenues	Total Benefits	Net Present Value of Total Benefits	Other District Costs	District Property Taxes Abated	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Net Present Value of Taxes Abated
1	\$49,099	\$0	\$95,924	\$145,024	\$140,273	\$12,087	\$44,189	\$56,276	\$54,433	\$88,747	\$88,747	\$85,840	\$42,742
2	\$50,180	\$0	\$146,094	\$196,273	\$183,625	\$18,408	\$45,162	\$63,570	\$59,473	\$132,703	\$221,451	\$124,152	\$42,251
3	\$51,284	\$0	\$188,601	\$239,884	\$217,074	\$23,764	\$46,155	\$69,920	\$63,271	\$169,965	\$391,416	\$153,803	\$41,766
4	\$52,412	\$0	\$192,750	\$245,162	\$214,583	\$24,287	\$47,171	\$71,458	\$62,545	\$173,704	\$565,120	\$152,038	\$41,287
5	\$53,565	\$0	\$196,991	\$250,555	\$212,120	\$24,822	\$48,208	\$73,030	\$61,827	\$177,526	\$742,646	\$150,293	\$40,813
6	\$54,743	\$0	\$201,324	\$256,068	\$209,685	\$25,368	\$49,269	\$74,637	\$61,117	\$181,431	\$924,077	\$148,568	\$40,345
7	\$55,948	\$0	\$205,754	\$261,701	\$207,278	\$25,926	\$50,353	\$76,279	\$60,416	\$185,423	\$1,109,499	\$146,862	\$39,881
8	\$57,178	\$0	\$210,280	\$267,459	\$204,899	\$26,496	\$0	\$26,496	\$20,299	\$240,963	\$1,350,462	\$184,600	\$0
9	\$58,436	\$0	\$214,906	\$273,343	\$202,547	\$27,079	\$0	\$27,079	\$20,066	\$246,264	\$1,596,726	\$182,481	\$0
10	\$59,722	\$0	\$219,634	\$279,356	\$200,222	\$27,675	\$0	\$27,675	\$19,835	\$251,682	\$1,848,407	\$180,387	\$0
Total	\$542,567	\$0	\$1,872,259	\$2,414,825	\$1,992,306	\$235,911	\$330,507	\$566,418	\$483,281	\$1,848,407	\$1,848,407	\$1,509,025	\$289,086



SUMMARY OF COSTS AND BENEFITS FOR:

USD 465 Rec. Comm.

PROJECT: Petra Winfield Residences, LLC

DATE: 3/8/2022

DISCOUNT RATE: 2.58%

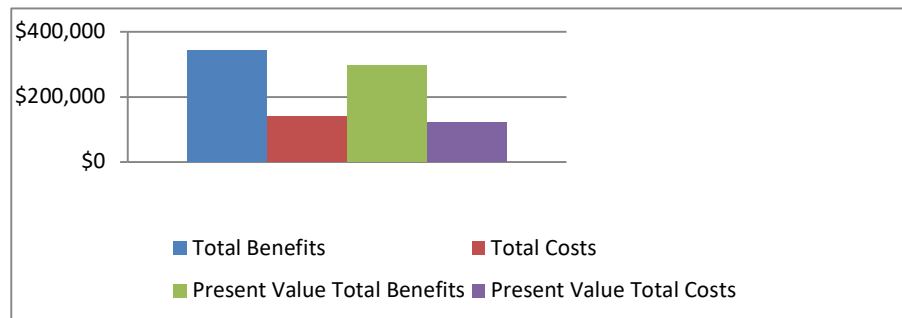
Ratio of Actual Benefits to Actual Costs Over the 10-Year Period: 2.48

Ratio of Present Value of Total Benefits to Present Value of Total Costs: 2.43

(Typical desired ratio would be 1.3 to 1)

Average ROI 9.89%

Year	New District Property Taxes	PILOT Payment	Other District Revenues	Total Benefits	Net Present Value of Total Benefits	Other District Costs	District Property Taxes Abated	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Net Present Value of Taxes Abated
1	\$11,226	\$0	\$11,213	\$22,439	\$21,875	\$3,202	\$10,103	\$13,305	\$12,971	\$9,134	\$9,134	\$8,905	\$9,850
2	\$11,473	\$0	\$17,078	\$28,551	\$27,134	\$4,876	\$10,326	\$15,202	\$14,448	\$13,349	\$22,483	\$12,687	\$9,813
3	\$11,725	\$0	\$22,047	\$33,772	\$31,290	\$6,295	\$10,553	\$16,848	\$15,610	\$16,924	\$39,408	\$15,681	\$9,777
4	\$11,983	\$0	\$22,532	\$34,515	\$31,175	\$6,433	\$10,785	\$17,218	\$15,552	\$17,297	\$56,704	\$15,623	\$9,741
5	\$12,247	\$0	\$23,028	\$35,275	\$31,060	\$6,575	\$11,022	\$17,597	\$15,495	\$17,677	\$74,382	\$15,565	\$9,705
6	\$12,516	\$0	\$23,534	\$36,051	\$30,946	\$6,720	\$11,265	\$17,984	\$15,438	\$18,066	\$92,448	\$15,508	\$9,670
7	\$12,792	\$0	\$24,052	\$36,844	\$30,832	\$6,867	\$11,513	\$18,380	\$15,381	\$18,464	\$110,911	\$15,451	\$9,634
8	\$13,073	\$0	\$24,581	\$37,654	\$30,719	\$7,019	\$0	\$7,019	\$5,726	\$30,636	\$141,547	\$24,993	\$0
9	\$13,361	\$0	\$25,122	\$38,483	\$30,606	\$7,173	\$0	\$7,173	\$5,705	\$31,310	\$172,857	\$24,901	\$0
10	\$13,655	\$0	\$25,675	\$39,329	\$30,493	\$7,331	\$0	\$7,331	\$5,684	\$31,999	\$204,855	\$24,810	\$0
Total	\$124,052	\$0	\$218,861	\$342,912	\$296,132	\$62,490	\$75,567	\$138,057	\$122,009	\$204,855	\$204,855	\$174,123	\$68,191



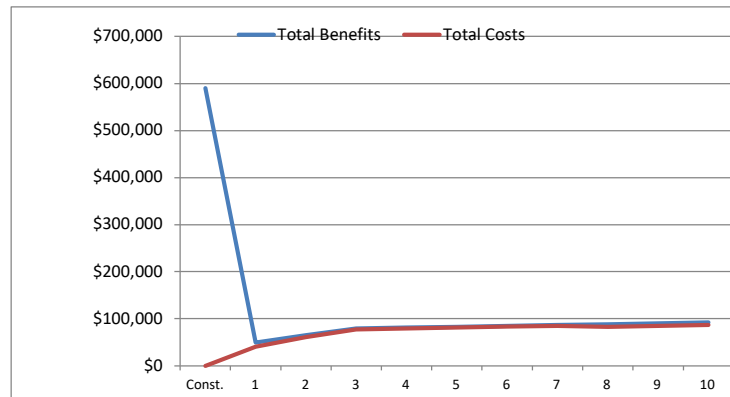
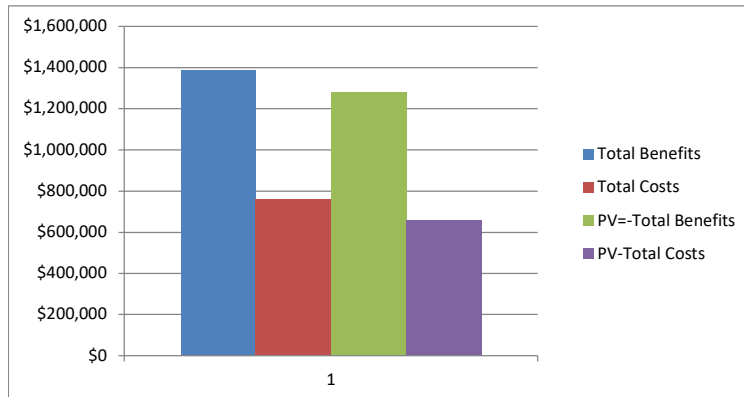
SUMMARY OF COSTS AND BENEFITS FOR:
PROJECT: Petra Winfield Residences, LLC
DATE: 3/8/2022

State of Kansas

DISCOUNT RATE: 2.58%

Ratio of Actual Benefits to Actual Costs Over the 10-Year Period: 1.82
Ratio of Present Value of Total Benefits to Present Value of Total Costs: 1.95
(Typical desired ratio would be 1.3 to 1)
Average ROI: 8.22%

Year	Sales Taxes	New Firm Property Taxes	Corporate and Personal Income Taxes	New Housing Property Taxes	Other State Revenues	Total Benefits	Net Present Value of Total Benefits	Cost of Various State Services	Cost of Educating New Students	Property Taxes Abated	Incentives	Total Costs	Net Present Value of Total Costs	Net Benefits or Costs	Cumulative Net Benefits or Costs	Net Present Value of Net Benefits	Present Value of Taxes Abated and Incentives
Const.	\$459,200	\$0	\$130,500	\$0	\$0	\$589,700	\$589,700	\$0	\$0	\$0	\$0	\$0	\$0	\$589,700	\$589,700	\$589,700	\$0
1	\$24,154	\$3,610	\$8,144	\$0	\$13,234	\$49,142	\$47,907	\$8,042	\$29,456	\$3,249	\$0	\$40,747	\$39,723	\$8,395	\$598,095	\$8,184	\$3,168
2	\$30,211	\$3,690	\$11,412	\$0	\$20,287	\$65,600	\$62,345	\$12,328	\$45,156	\$3,321	\$0	\$60,805	\$57,788	\$4,795	\$602,891	\$4,557	\$3,156
3	\$35,375	\$3,771	\$14,188	\$0	\$26,263	\$79,597	\$73,747	\$15,959	\$58,456	\$3,394	\$0	\$77,809	\$72,090	\$1,788	\$604,679	\$1,657	\$3,144
4	\$36,050	\$3,854	\$14,501	\$0	\$26,840	\$81,245	\$73,383	\$16,310	\$59,742	\$3,469	\$0	\$79,520	\$71,825	\$1,724	\$606,403	\$1,558	\$3,133
5	\$36,740	\$3,939	\$14,820	\$0	\$27,431	\$82,929	\$73,022	\$16,669	\$61,056	\$3,545	\$0	\$81,270	\$71,561	\$1,659	\$608,063	\$1,461	\$3,121
6	\$37,445	\$4,025	\$15,146	\$0	\$28,034	\$84,651	\$72,665	\$17,035	\$62,400	\$3,623	\$0	\$83,058	\$71,298	\$1,593	\$609,656	\$1,367	\$3,110
7	\$38,166	\$4,114	\$15,479	\$0	\$28,651	\$86,410	\$72,312	\$17,410	\$63,772	\$3,703	\$0	\$84,885	\$71,035	\$1,525	\$611,181	\$1,276	\$3,098
8	\$38,903	\$4,205	\$15,819	\$0	\$29,281	\$88,208	\$71,962	\$17,793	\$65,175	\$0	\$0	\$82,969	\$67,687	\$5,240	\$616,420	\$4,275	\$0
9	\$39,656	\$4,297	\$16,167	\$0	\$29,926	\$90,046	\$71,615	\$18,185	\$66,609	\$0	\$0	\$84,794	\$67,438	\$5,252	\$621,672	\$4,177	\$0
10	\$40,425	\$4,392	\$16,523	\$0	\$30,584	\$91,924	\$71,272	\$18,585	\$68,075	\$0	\$0	\$86,659	\$67,190	\$5,265	\$626,937	\$4,082	\$0
Total	\$816,325	\$39,897	\$272,699	\$0	\$260,532	\$1,389,453	\$1,279,930	\$158,314	\$579,898	\$24,303	\$0	\$762,516	\$657,636	\$626,937	\$626,937	\$622,294	\$21,931



Petra Winfield Residences, LLC

Other Economic Impacts of the Project

	In the First Year	Over 10 Years
Permanent jobs created	2	2
Construction jobs created	208	0
Number of New Residents in the Community	226	420
Number of Additional Students in the Local School District	47	88
Increase in Local Personal Incomes	\$5,382,909	\$104,227,556
Increase in Local Retail Sales	\$17,790,688	\$77,494,814
Increase in the Community's Property Tax Base	\$26,150,000	\$26,150,000
Estimated new annual tax revenues after 10 years:		Property Taxes
	City	\$163,647
	County	\$145,494
	School	\$148,223
	Comm Coll	\$61,036
	Rec. Comm.	\$13,955
	State	\$4,488
	Totals	\$536,842

Petra Winfield Residences, LLC

OVERALL COST-BENEFIT SUMMARY

TAXING ENTITY	DIRECT REVENUES						TOTAL DIRECT REVENUES	ALL INDIRECT REVENUES	TOTAL ALL REVENUES	DIRECT COSTS	INDIRECT COSTS	Infrastructure and Incentives	TOTAL COSTS	NET BENEFITS
	Sales & Guest Taxes	New Housing Property Taxes	New Firm Property Taxes	School Federal & State Funding	Corporate & Personal Income Taxes	City Utilities & Franchise Fees				PROPERTY TAXES ABATED	ALL INDIRECT COSTS			
City of Winfield	\$1,506,587	\$0	\$1,454,708			\$2,061,847	\$5,023,142	\$4,922,417	\$9,945,559	\$886,142	\$1,765,861	\$50,000	\$2,702,003	\$7,243,556
Cowley County	\$0	\$0	\$1,293,340				\$1,293,340	\$633,687	\$1,927,027	\$787,844	\$194,710	\$0	\$982,553	\$944,474
Winfield USD 465		\$0	\$1,317,597	\$18,991,653			\$20,309,250	\$0	\$20,309,250	\$673,797	\$1,858,283		\$2,532,080	\$17,777,170
Cowley College		\$0	\$542,567				\$542,567	\$1,872,259	\$2,414,825	\$330,507	\$235,911		\$566,418	\$1,848,407
USD 465 Rec. Comm.		\$0	\$124,052				\$124,052	\$218,861	\$342,912	\$75,567	\$62,490		\$138,057	\$204,855
State of Kansas	\$816,325	\$0	\$39,897		\$272,699		\$1,128,921	\$260,532	\$1,389,453	\$24,303	\$738,212	\$0	\$762,516	\$626,937
TOTALS	\$2,322,912	\$0	\$4,772,160	\$18,991,653	\$272,699	\$2,061,847	\$28,421,271	\$7,907,755	\$36,329,027	\$2,778,159	\$4,855,468	\$50,000	\$7,633,627	\$28,695,399



Request for Commission Action

Date: March 28, 2022

Requestor: Eryn Ebach Freund, Community Development Coordinator/Planner

Action Requested: Consideration of Planning Commission Case.

Analysis:

On March 14, 2022, the Planning Commission considered a case regarding a request for final plat approval. Below is a short analysis of the case.

PC 2022-001, Petition for final plat approval of Petra Win Residences, to the City of Winfield, Cowley County, Kansas, filed by the City of Winfield and Bliss Development LLC, owners, and Petra Development, agent. Based on the planning commission's findings, the property met the necessary criteria to recommend approval of the final plat.

Fiscal Impact: None.

Attachments: Proposed Ordinance

AN ORDINANCE

ACCEPTING and authorizing the filing of the final plat of Petra Win Residences, a Subdivision in the Northeast Quarter of Section 33, Township 32 South, Range 4 East of the 6th P.M., Cowley County, Kansas.

WHEREAS, the Winfield City Planning Commission conducted a public hearing on Monday, March 14, 2022, at the time and location as set forth in a public notice published in the Winfield Daily Courier to consider Planning Case Number PC 2022-001; and,

WHEREAS, at said meeting the Planning Commission recommended approval of said plat; and,

WHEREAS, the Zoning Administrator and the Utility Committee have reviewed the plat for compliance with the Subdivision Regulations and recommended approval of the plat of Petra Win Residences; and,

WHEREAS, after due consideration of the recommendations;

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

Section 1. The final plat of Petra Win Residences, a Subdivision of part of the Northeast Quarter of Section 33, Township 32 South, Range 4 East of the 6th P.M., Cowley County, Kansas, described as:

All of Stonebrook Addition, Winfield, Cowley County, Kansas; EXCEPT that part described as beginning at the northwest corner of Lot 1, Block 1, in said addition; thence S02°02'30"E along the west line of said Lot 1 and extended, 264.05 feet to the southwest corner of Lot 3, Block 1, in said addition; thence S88°51'44"W, 60.00 feet to the southeast corner of Lot 15, Block 1, in said addition; thence N02°02'30"W along the east line of said Lot 15 and extended, 264.06 feet to the northeast corner of Lot 17, Block 1, in said addition; thence N88°51'44"E, 60.00 feet to the place of beginning.; City of Winfield, Cowley County, Kansas.

is hereby approved and authorized for filing at the Register of Deeds of Cowley County.

Section 2. The dedication of rights-of-ways and utility easements are hereby approved and accepted.

Section 3. The Clerk of the City of Winfield is hereby authorized and directed to file said plat with the Register of Deeds of Cowley County, Kansas.

Section 4. This Ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED this 4th day of April, 2022

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Brenda Peters, City Clerk

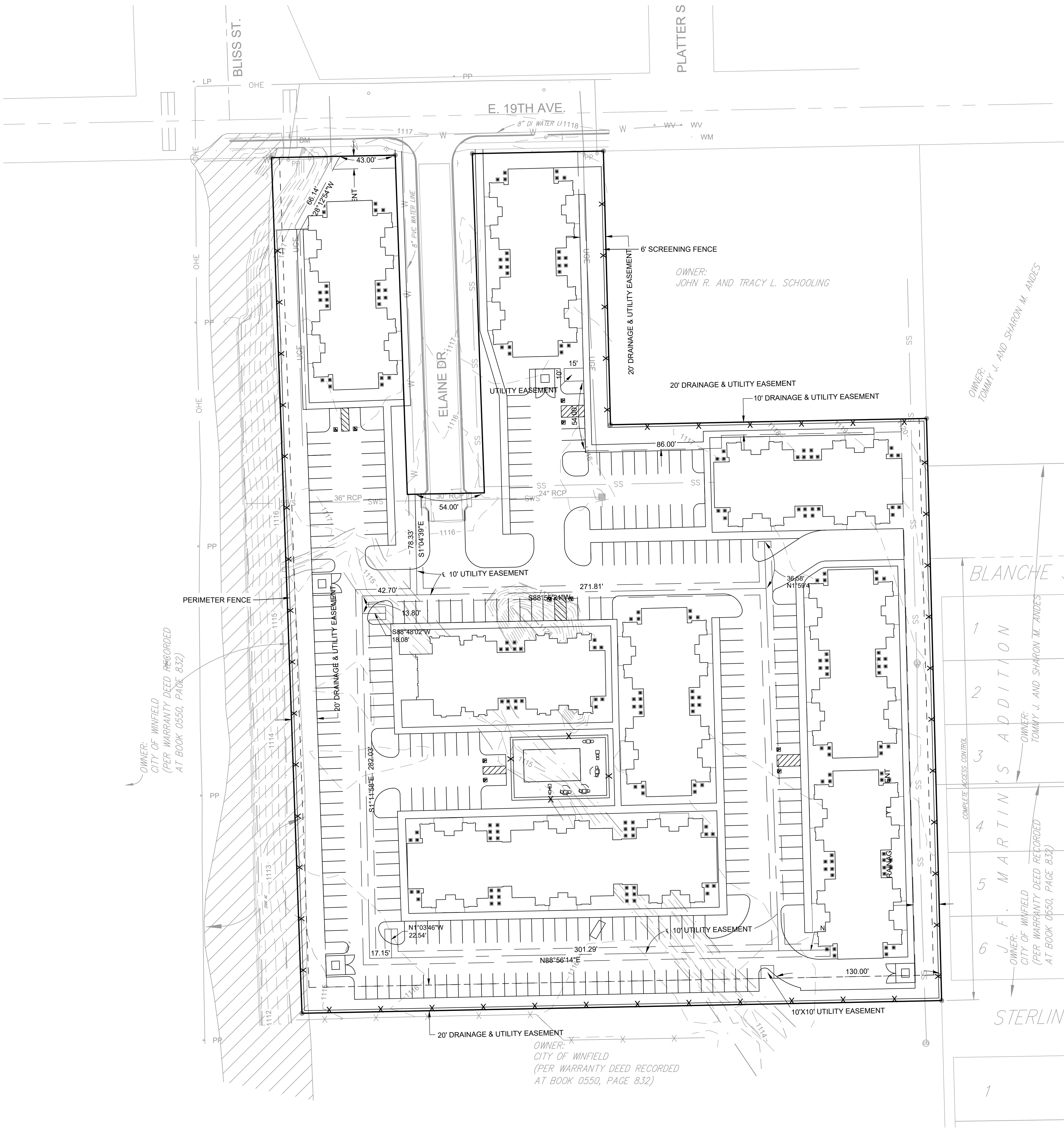
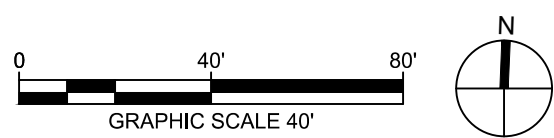
Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission action: _____
Taggart Wall, City Manager/ee

1

PRELIMINARY SITE PLAN

1" = 40'-0"



SITE INFORMATION

ZONING: PUD (WOULD BE R-3 LEVEL)

NUMBER OF APARTMENT UNITS: 200

PARKING

WINFIELD PARKING REQUIREMENT:(R-3 ZONING= 2 PER UNITS) =200 UNITS X 2 PARKING STALLS

TOTAL REQUIRED: 400 PARKING STALLS

RECOMMENDED PARKING RATIO: (1 PER 1 BEDROOM; 1.5 PER 2 BEDROOM; 1.75 PER 3 BEDROOM)
94- 1 BEDROOM UNITS X 1 STALL/BEDROOM UNIT= 94 PARKING STALLS
95- 2 BEDROOM UNITS X 1.5 STALL/BEDROOM UNIT= 143 PARKING STALLS
11- 3 BEDROOM UNITS X 1.75 STALL/BEDROOM UNIT= 20 PARKING STALLS

TOTAL RECOMMENDED PARKING: 257 PARKING STALLS

PROPOSED PARKING COUNT: 262 PARKING STALLS

SETBACK REQUIREMENTS:

FRONT - 15'

SIDE - 6'

REAR - 20'



GLMV Architecture
Nelson 782.555.5267 • Kansas City 913.644.4203 • Pasadena 626.916.9194 • www.glmv.com

PETRA

WIN RESIDENCES

WINFIELD, KANSAS

B ISSUED FOR FINAL PUD 03.25.22		
A ISSUED FOR FINAL PUD 02.25.2022		
	DESCRIPTION	DATE
PROJECT NO:	21703R21001	
DATE:	02-25-2022	
DRAWN BY:	HFL	
CHECKED BY:	ALM	

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ISSUED FOR FINAL PUD

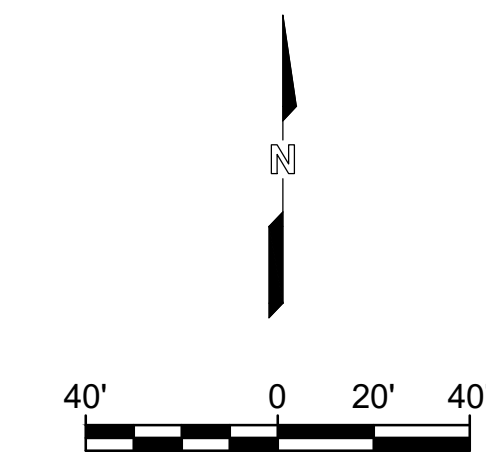
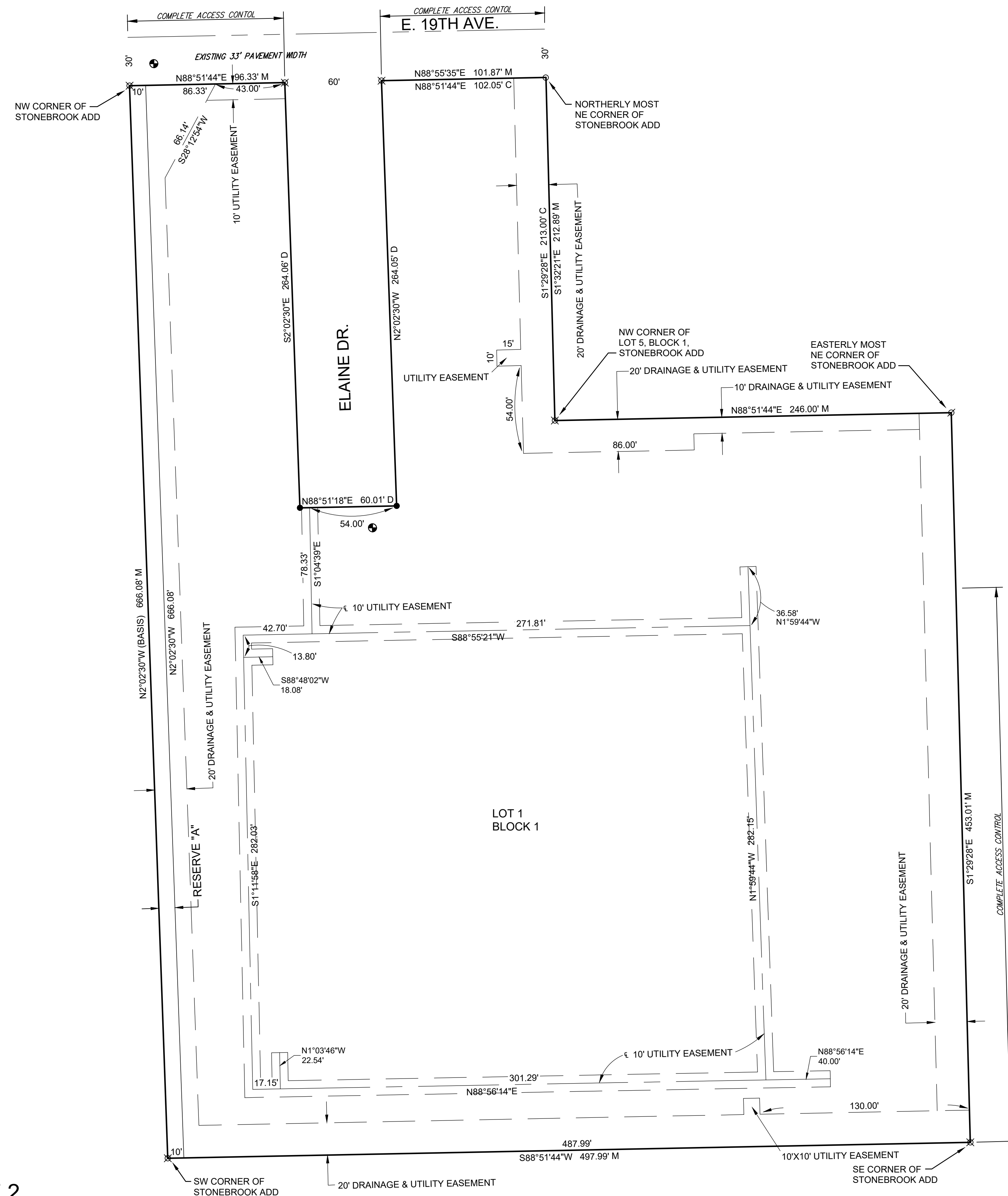
PRELIMINARY SITE PLAN

CS101

Planned Unit Development

PETRA WIN RESIDENCES

Part of the NW1/4 of Sec. 33, T32S, R4E
Winfield, Cowley County, Kansas



(BASIS) = Basis of Bearings = Kansas Coordinate System of 1983 South Zone Grid Bearing

P = Platted
M = Measured
C = Calculated
D = Described

SURVEY MARKER LEGEND

- | | |
|---|---|
| ○ | 1/2" REBAR SPINNER (FOUND - ORIGIN UNKNOWN) |
| ∅ | 1/2" REBAR (FOUND, PRESUMED SET BY GARVER) |
| ⊗ | 1/2" REBAR W/GARVER CAP (FOUND) |
| ● | 1/2" REBAR W/GARVER CAP (SET) |

BENCHMARK #1: CHISELED SQUARE ON THE TOP
OF CURB ON THE SOUTH SIDE OF 19TH STREET,
47' EAST OF THE CENTERLINE OF BLISS,
ELEVATION = 1117.21 (NAVD88, G12B)

BENCHMARK #2: CHISELED SQUARE ON THE TOP OF CURB AT THE SOUTH END OF A CURB INLET ON THE EAST SIDE OF ELAINE DRIVE, 307' SOUTH OF THE CENTERLINE OF E. 19TH AVENUE, ELEVATION = 1115.10 (NAVD88, G12B)





A RESOLUTION

AUTHORIZING an Outdoor Community Event and Temporary Entertainment District Application (Island Park Productions)

WHEREAS, Island Park Productions has made application for an Outdoor Community Event and Temporary Entertainment District; and

WHEREAS, Island Park Productions requests the possession and consumption of alcoholic liquor or cereal malt beverage in Island Park during a series of outdoor concert events in May, June, July and August 2021.

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

Section 1. Within Section 6-120 of Article IV of Section 6 of the Code of the City of Winfield, Kansas, "Temporary Entertainment District" means a defined area, which includes City streets, alleys, parking lots and public sidewalks on which the City Commission has authorized the sale, possession or consumption of alcoholic liquor or cereal malt beverage for a specified period of time, during a community event which has been properly permitted under Chapter 8 of this Code.

Section 2. Island Park Productions requests the possession and consumption of alcoholic liquor or cereal malt beverage in Island Park from 5:00 pm to 11:00 pm during a series of outdoor concert events on May 12, June 23, July 14, August 4, and August 25, 2022. A Temporary Alcohol or Cereal Malt Beverage Permit is not required of Island Park Productions for possession and consumption only. Should any of the 2022 outdoor concert events require postponement and rescheduling, notice will be given to the Winfield City Manager's office. The parties will coordinate, to the best of their abilities, rescheduling in 2022. No further action will be required by the Governing Body of the City of Winfield for said rescheduling in 2022.

Section 3. The governing body of the city of Winfield Kansas hereby authorizes the Outdoor Community Event and Temporary Entertainment District Application, in accordance with the rules and procedures set forth by Article IV of Section 6 of the Code of the City of Winfield, Kansas, regarding the possession or consumption of alcoholic liquor as presented by the Island Park Productions from 5:00 pm to 11:00 pm during a series of outdoor concert events on May 12, June 23, July 14, August 4, and August 25, 2022, in Island Park, Winfield Kansas, as identified in the Outdoor Community Event and Temporary Entertainment District Application; a copy of which is attached hereto and made a part hereof.

Section 4. This resolution shall be in full force and effect from and after its passage and approval.

ADOPTED this 4th day of April 2022.

(SEAL)

Ronald E. Hutto, Mayor

ATTEST:

Brenda Peters, City Clerk

Approved as to form: _____
William E. Muret, City Attorney

Approved for Commission Action: _____
Taggart Wall, City Manager



Request for Commission Action

Date: March 30, 2022

Requestor: Taggart Wall, City Manager

Action Requested: Consider Resolution authorizing an Outdoor Community Event & Temporary Entertainment District Application from Island Park Productions.

Analysis: Island Park Productions (IPP), through an Outdoor Community Event & Temporary Entertainment District application, requests authorization to allow possession and consumption of alcohol or cereal malt beverages in Island Park from 5:00 pm to 11:00 pm during a series of outdoor concert events in 2022.

A separate temporary Alcohol or Cereal Malt Beverage Permit is not required of Island Park Productions for possession and consumption only. The Governing Body would need to adopt a Resolution acknowledging the "Special Event" and authorizing possession and consumption.

This resolution allows postponement & rescheduling in 2022, if necessary, with notice to the City Manager's office. And, no further action required by the governing body for rescheduling in 2022.

Fiscal Impact: The concert series is provided free to the general public. The City is a member and represented on the IPP Board. Standard fees are being sought from IPP. Their requests are trash containers, access to electricity and on site and mobile restrooms.

Attachments: Draft Resolution, Outdoor Community Event Application

ISLAND PARK PERFORMANCE STAGE

Outdoor Community Event Application

Any event activities requesting use of the Island Park Performance Stage, including but not limited to, those with free or paid admissions, spectators, fairs & festivals, fireworks, concerts, carnivals, exhibitions, fundraisers, rides & attractions, racing events, religious ceremonies, running events, sporting events, animals, airsoft or paintball gun usage, construction exposures, inflatables (bounce houses), trampolines, water rides or water slides, bb/pellet guns, re-enactment weapons, archery, bonfires or open pit fires, or food trucks/vendors must complete an Outdoor Community Event and Temporary Entertainment District application. Applications are accepted on a first-come basis and must be submitted at least 30 days prior to the proposed date of the event for small events (less than 150 attendees) and at least 60 days prior to the proposed date of the event for large events (150 attendees or more).

Event promoters must prepare as part of the application:

- An operational plan to include but not limited to set-up and tear-down, parking management, security, gate and crowd management, medical services, volunteer and staffing requirements, vendors, and traffic control.
- A current certificate of general liability insurance in an amount not less than \$ 1,000,000 General Aggregate, \$ 1,000,000 Products Aggregate, \$ 500,000, Each Occurrence, \$ 500,000 Personal/Adv Injury, \$ 100,000 Fire Damage with the City of Winfield KS, its officers and agents, named additional insured's.
- Alcoholic Liquor or CMB information which must receive approval by the Kansas Division of Alcoholic Beverage Control (ABC) and the Winfield City Commission for the sale, possession, and/or consumption of Alcoholic Liquor or CMB through a Catered Licensed Event, Temporary license or a Temporary Permit.
- On-site vendor and food information

Island Park Performance Stage Use Fees

- 1) Daily use fee for the Island Park Performance Stage- Profit, Nonprofit, Not-for-profit, Charitable organizations, or individuals promoting events not requiring closure of Island Park shall follow these established guidelines:

Island Park Performance Stage	Full Day-\$75.00	Half Day-\$37.50
	7am-11pm	7 am-2:30 pm
		3:30 pm-11:00 pm

Reservations must be made during regular business hours at the Winfield Operation Center, 2701 E 9th Ave, 620-221-5600, or parkreservations@winfieldks.org .

- 2) Daily use fee for the Island Park Performance Stage-Profit, Nonprofit, Not-for-profit, or Charitable organizations, or individuals promoting events not requiring paid admissions but requiring closure of Island Park shall follow these established guidelines:

Island Park Performance Stage	Full Day-\$150	Half Day-\$75
	7am-11pm	7 am-2:30 pm
		3:30 pm-11:00 pm

Reservations must be made during regular business hours at the Winfield Operation Center, 2701 E 9th Ave, 620-221-5600, or parkreservations@winfieldks.org .

- 3) Daily use fee for the Island Park Performance Stage-Profit, Nonprofit, Not-for-profit, or Charitable organizations, or individuals promoting events requiring paid admissions and requiring closure of Island Park shall follow these established guidelines:
 - Organizations pay to the City of Winfield a non-refundable deposit fee of \$150 paid with submission of the Outdoor Community Event and Temporary Entertainment District Application. The deposit will be applied in full against the rental payment.
 - Organizations pay to the City of Winfield, as rental, five percent (5%) of the gate receipts (admission fees) which include advance, daily, or weekend sales less applicable Kansas sales taxes. An accurate accounting of all receipts will be attached with payment not later than thirty (30) days following the last day of the event. Minimum \$150 charge.

Island Park Performance Stage General Use Guidelines

- 1) Applications for use of the Island Park Performance Stage must be signed by an adult (21 years of age) of the organization who assumes responsibility for the event.
- 2) Most events require barricades, traffic cones, and/or perimeter fencing which may be facilitated by the City, fees may be required. Additional services not limited to temporary restroom installation, parking facilitation, installation of fencing, on-site City Staff/Police/FireEMS may be required of organization after review of the event operational plan (fees may be required).
- 3) Organizations will surrender the Park in as good, if not better, condition that it was upon commencement of its use. Organizations will be responsible for all costs of replacement or repair caused by any and all damage to the Performance Stage, Pavilions, Restrooms, Playground, or contents thereof as determined by City Park Staff. If organizations wish to be present during the post event inspections, this must be coordinated in advance.
- 4) Organizations will be responsible for the behavior of anyone participating in or attending its event. Failure to abide may result in the organization being barred from future facility use.
- 5) The Organization shall save and hold the City of Winfield harmless from any and all loss sustained by the Organization on account of any suit, judgement, execution, claim, losses or damage of any kind whatsoever, resulting for the use of the said premises as provided herein, and the Organization shall cause to be defended at its own expense all actions that may be commenced against the City by reason of said event, save and except those losses occurring at the event which are caused solely by the acts or omission of the City or its employees.
- 6) The City of Winfield retains the authority to refuse the use of Island Park or any part thereof when such use would be contrary to sound public policy, or where, in the City's sole opinion, such use would be objectionable to the public.

Definitions

- **Nonprofit** means the entity, usually a corporation, is organized for a nonprofit purpose.
- **Tax-exemption** is the result of a nonprofit organization being recognized by the IRS as being organized for any purpose allowable under 501(c)(3) - 501(c)(27).
- **501(c)(3)** means a nonprofit organization that has been recognized by the IRS as being tax-exempt by virtue of its charitable programs.
- Kansas Statute defines **Charitable organizations** as any person who engages in the activity of soliciting funds or donations for, or purported to be for, any fraternal, benevolent, social, educational, alumni, historical, humane, public health or other charitable purpose. Charitable organization does not include political parties, political candidates or committees formed in support of political candidates or political parties.



Outdoor Community Event and Temporary Entertainment District Application

Applications and any applicable fees must be submitted to:
Winfield City Clerk | 200 E. 9th Avenue | Winfield, KS 67156
620-221-5500 or (Fax) 620-221-5593 or cityclerk@winfieldks.org

Complete Outdoor Community Event Applications must be submitted at least 30 days prior to the proposed date of the event

The City of Winfield defines an Outdoor Community Event as follows:

- Outdoor event on public property organized for a particular and limited purpose and time. Such events shall include, but not be limited to fun runs, roadway foot races, fundraising walks, bikeathons, motor vehicle events, bike races, carnivals, festivals, cookouts, block parties, community celebrations, shows, exhibitions, circuses, fairs and temporary entertainment districts. Such term shall also include parades when held in conjunction with a community event as defined by this section, which event is sponsored or conducted by the same applicant. Such term shall not include events occurring solely on sidewalks or public rights of way immediately adjacent to public streets that do not require the closing of the sidewalk or public way.

The City of Winfield defines a Temporary Entertainment District as follows:

- A defined area, which includes City streets, alleys, parking lots and public sidewalks on which the City Commission has authorized the sale, possession or consumption of alcoholic liquor or cereal malt beverage for a specified period of time, during a Community Event which has been properly permitted.

General Information:

It is the purpose of this application to establish a process for permitting community events to use City streets, sidewalks, parks and alleys. It is unlawful for any person to conduct a community event without a community event permit. Any information required by the application must be complete upon submittal. Incomplete applications may be denied. The City of Winfield may refuse any application received less than 30 days before the event or lacking requested information. When received, an application is subject to approval of all departments involved and will be required to provide the following:

- The Winfield Police Department, the Winfield Fire Department and authorized representatives of such departments shall be responsible for the enforcement of all provisions of this application.
- No fee shall be charged for the application or permit for a Community Event itself.
- The issuance of a Community Event permit shall not negate the responsibility of the permit holder to acquire all other necessary and applicable licenses or permits which may be required for the event or pay any additional fees.
- Street closure request made to the City of Winfield.
- Certificate of General Liability Insurance naming the City of Winfield as additionally insured, *if applicable*.
- Security requirements including hiring of certified law enforcement officers.
- All Food/Beverage/Concessionaire/Amusement vendors list including contact person, contact information, and permits/licenses, as necessary.
- Outdoor Community Events shall cease between the hours of 11:00 p.m. and 8:00 a.m., Sunday through Thursday and midnight to 8:00 a.m. on Friday and Saturday.
- A detailed Security Plan will be required and approved by Winfield Chief of Police. Extraordinary Police/Fire services will be billed directly to the permit holder and will be the permit holder's responsibility.



Outdoor Community Event and Temporary Entertainment District Application

APPLICANT INFORMATION

Organization:

Island Park Productions

Contact Name:

Jill Long

Email:

jill@jploncpa.com

Telephone:

620-221-2750

Address:

City/State/Zip:

Winfield, KS 67156

EVENT INFORMATION

Event Title:

Duck Jam in the Park Concert Series

Event Date:

5/12, 6/23, 7/14, 8/4, 8/25

Event Type:

Concerts

Event Time (setup & teardown):

Noon-11 pm

Public Property Needed:

Island Park

Street Closure Requested? Yes ☒ or No ☐

If yes, provide map of event identifying any and all street closures and placement of barricades; with type of barricades to be used

Has written approval been received by appropriate authorities (KDOT) for closure of any State Highway (Main Street or 9th Avenue)? Yes ☐ or No ☐ If yes, attach copy

Date(s)/Time of Street Closures (or attached information):

Island Park Closure at Noon each event day.

Site Plan Required: The plan defines the placement of fencing, tables, water supply, toilet/lavatory facilities, lighting, stages, temporary power needs, parking plans, sound plan, traffic control, temporary seating, tents or canopies, amusement or inflatable rides, barricade type/location, enter/exit locations, trash, signage, all streets being closed, etc. Parade or motor events require a map or diagram of the route to be traveled w/ starting and ending points identified; use of all or a portion of the street; approximate number, type, and description of persons, animals, and vehicles, as well as information above.

Will admission be charged? Yes ☐ or No ☒

Is this event a fundraiser? Yes ☐ or No ☒

Estimated Attendance: (maximum):

Number of participants in previous years:

750

250-750

Please provide fliers, brochures, or website/Facebook posts describing the event.

GENERAL LIABILITY INSURANCE INFORMATION

Comprehensive liability insurance (CGL) is a broad policy that protects the organization from liability claims related to products coverage, completed operations coverage, premise and operations coverage, and independent contractors' coverage; also called commercial general liability insurance. Proof of insurance



Outdoor Community Event and Temporary Entertainment District Application

may need be submitted to the City prior to approval of this application if any of the following activities are a part of the event; including but not limited to paid admissions, spectators, fairs & festivals, fireworks, concerts, carnivals, exhibitions, fundraisers, rides & attractions, racing events, religious ceremonies, running events, sporting events, animals, airsoft or paintball gun usage, construction exposures, inflatables (bounce houses), trampolines, water rides or water slides, bb/pellet guns, re-enactment weapons, archery, bonfires or open pit fires, food trucks/vendors, cereal malt beverage/liquor liability.

If required, the Applicant will procure and maintain during the term of the event a policy of insurance which provides general liability coverage in an amount not less than \$ 1,000,000 General Aggregate, \$ 1,000,000 Products Aggregate, \$ 500,000, Each Occurrence, \$ 500,000 Personal/Adv Injury, \$ 100,000 Fire Damage, with the City of Winfield KS, its officers and agents, named additional insured's.

Has a prior insurance provider canceled or refused to renew your policy? Yes ☐ or No ☐

ALCOHOLIC LIQUOR OR CMB INFORMATION

Will Alcoholic Liquor or CMB be sold and/or served? Yes ☐ or No ☒ If yes, complete the following

If Yes, is there a Liquor Liability Policy In-Force? Yes ☐ or No ☐

Is the Applicant Named as an Additional Insured? Yes ☐ or No ☐

On-Site Supervisor Name:

Jill Long

Email:

jill@jploncpa.com

Telephone:

620-221-2750

Address:

City/State/Zip:

Winfield, KS 67156

Possession, sale and/or consumption of Alcoholic Liquor or CMB: A Catered Licensed Event, Temporary license or a Temporary Permit MUST be approved by the Kansas Division of Alcoholic Beverage Control (ABC) and the Winfield City Commission. Regular City Commission meetings are held the 1st and 3rd Mondays of each month.

FOOD INFORMATION

Will food be sold and/or served? Yes ☒ or No ☐ If yes, complete the following

Who is Providing the Food and/or Drink?

Winfield Lions Club, Winfield Soroptimist Club

If Other than the Applicant, is a Certificate of Insurance Provided? Yes ☐ or No ☐

If Other than the Applicant, is Applicant Named as Additional Insured? Yes ☐ or No ☐

On-Site Supervisor Name:

David Fritzlen

Email:

dfritzlen@swbell.net

Telephone:

Address:

City/State/Zip:

Winfield, KS 67156



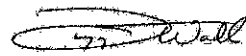
**Outdoor Community Event
and
Temporary Entertainment District Application**

I, Jill Long, the above named applicant, have read the contents of this application and that all information and answers herein contained are completed and true. In addition, I have read and understand all rules and regulations as set out in the Code of the City of Winfield. Furthermore, I hereby agree to comply with all of the laws of the State of Kansas, and all rules and regulations prescribed by the City of Winfield and I have consent to the immediate revocation of my license, by the proper officials, for any violation of such laws, rules, or regulations.


Signature of Event Applicant

3/30/22
Date

APPLICATION APPROVAL


Winfield City Manager

Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
IMA SELECT, LLC. (WICHITA)
P.O. Box 2992
Wichita, KS 67201

CONTACT NAME Monica Hidde

PHONE (A/C No, Ext): (620) 221-1760 FAX (A/C No): (620) 301-2199

EMAIL ADDRESS: monica.hidde@imacorp.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURED
ISLAND PARK PRODUCTIONS INC.
PO BOX 640
WINFIELD, KS 67156

INSURER A: United States Liability Insurance Company 25895

INSUREB B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			NPP1609483	04/01/2022	04/01/2023	EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$5,000
							PERSONAL & ADV INJURY \$1,000,000
							GENERAL AGGREGATE \$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS-COMP/OP AGG Included
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						\$
	<input type="checkbox"/> NON-OWNED AUTOS						\$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED						\$
	RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE-EA EMPLOYEE \$
							E.L. DISEASE-POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (See attached Acord 101 for additional liability limits)

City of Winfield is an additional insured per CG 20 11 04 13

CERTIFICATE HOLDER

City of Winfield
PO Box 646
Winfield, KS 67156

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



ADDITIONAL REMARKS SCHEDULE

Page 1 of 1

AGENCY IMA SELECT, LLC. (WICHITA)		INSURED ISLAND PARK PRODUCTIONS INC. PO BOX 640 WINFIELD, KS 67156
POLICY NUMBER NPP1609483		
CARRIER United States Liability Insurance Company	NAIC CODE 25895	EFFECTIVE DATE: 4/1/2022

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: ACORD 25

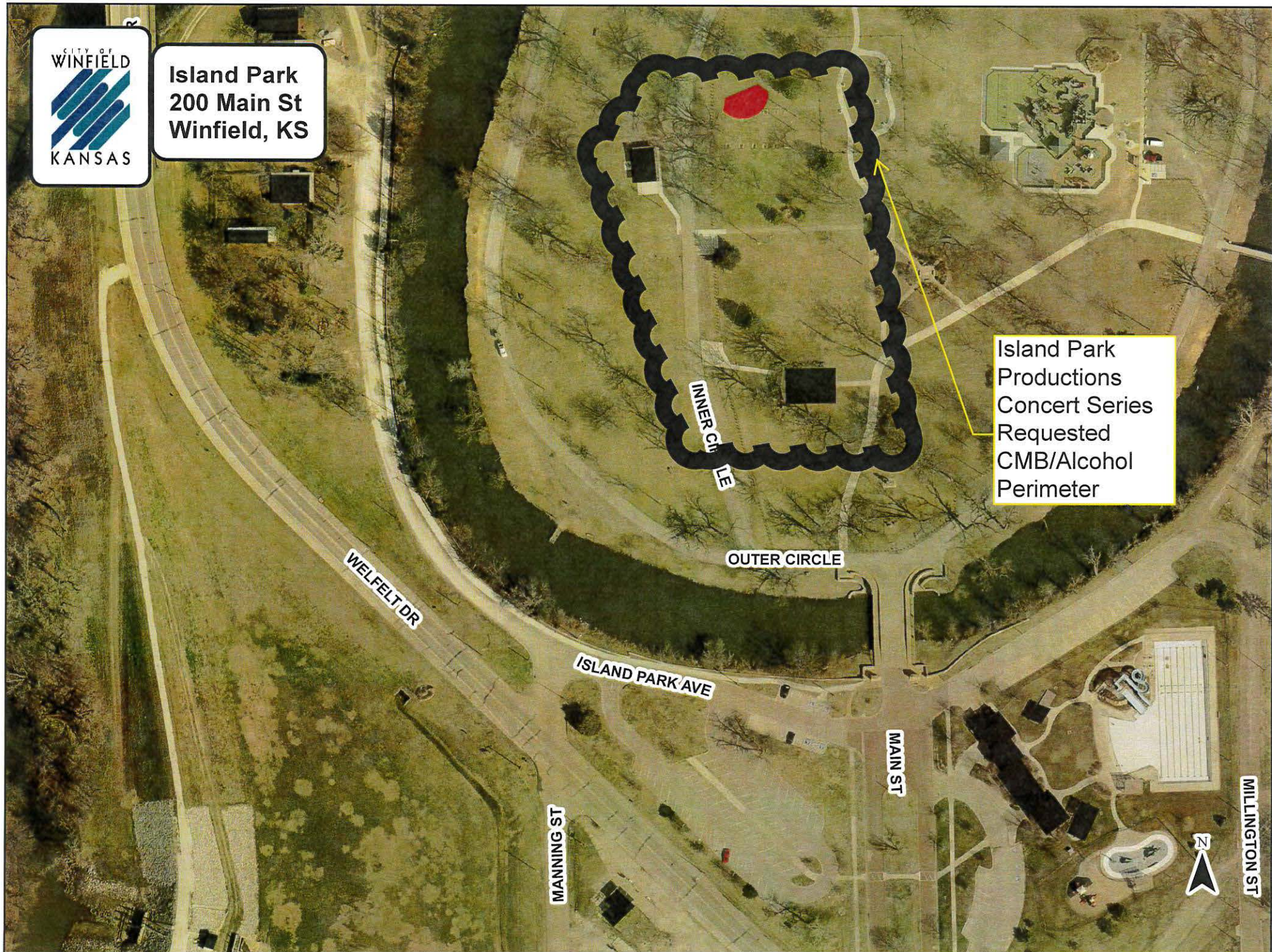
FORM TITLE:

CERTIFICATE OF LIABILITY INSURANCE

COVERAGE PART	LIMITS
Commercial Liability	
Each Occurrence Limit	\$1,000,000
Personal & Advertising Injury Limit (Any One Person/Organization)	\$1,000,000
Medical Expense (Any One Person)	\$5,000
Damages To Premises Rented To You (Any One Premises)	\$100,000
Products/Completed Operations Aggregate Limit	Included
General Aggregate Limit	\$2,000,000
Abuse And Molestation Liability Each Occurrence	\$100,000
Abuse And Molestation Liability Aggregate	\$300,000



Island Park
200 Main St
Winfield, KS



Island Park
Productions
Concert Series
Requested
CMB/Alcohol
Perimeter

INNER CIRCLE

OUTER CIRCLE

WELFELT DR

ISLAND PARK AVE

MAIN ST

MANNING ST

MILLINGTON ST





April 1, 2022

Jill Long
Island Park Productions
123 E 9th Ave
Winfield, KS 67156

Jill,

The City of Winfield has received your Outdoor Community Event application for the Island Park Production's 2022 Concert Series at Island Park. Your request has been approved.

- Island Park will be closed to the public at 12:00 noon on days of the events
- Possession/consumption of alcohol or Cereal Malt Beverage is approved from 5:00pm to 11:00 pm on the days of the events, generally identified in the OCE application

The City will provide the following for your event:

- Closure of the Island Park facility and use of the Performance Stage. IPP will be invoiced at \$150.00 per concert for use of the facilities.
- On site restrooms as well as the restroom trailer will be provided and cleaned and prepped. Fees for the restroom trailer will be \$300 per day for 2022.
- Additional trash containers will be placed approximately 30' apart along the sidewalks and hard surfaces between the Soroptimist Pavilion and Performance Stage
- The city will provide 10 traffic cones, 6 barricades and white plastic crowd fencing.
- The Winfield Police Department will be present intermittently throughout the hours of each concert.

Congratulations and Good luck! Thank you for your cooperation. Should changes occur prior to the event, please contact us at: 620-221-5600.

Attachments



Request for Commission Action

Date: March 31, 2022

Requestor: Kyle Gillett, Interim Power Plant Supervisor
Gus Collins, Director of Utilities

Action Requested: Consider approval for 2022 substation technical support program with Southwest Electric Company.

Analysis: The City of Winfield has been implementing a Technical Support Program as a form of preventive maintenance on our five electric substations and both generation plants since 2003. The program provides substation equipment maintenance and testing by an electrical contractor on a three-year rotation. Scheduled for maintenance in 2022 includes:

- Fifteen 15KV air circuit breakers
- Nine 15KV vacuum circuit breakers
- Eleven 5KV air circuit breakers
- Power Plant generator neutral breaker
- Power Plant static exciter field breaker
- Three 480-volt air circuit breakers
- Two liquid filled transformers located at the East Power Plant to provide station power
- Two dry-type transformers located in the East Power Plant to provide electric for the Motor Control Center (MCC)
- Two 69KV gas circuit breakers (65% GridLiance's responsibility)
- Forty-two protective relays

Fiscal Impact: This is a planned budget item. Staff solicited bids to complete the 2022 Technical Support Program, and we received three bids in return. They are as follows:

- Southwest Electric Co., Tulsa OK: \$39,425.00.00
- Vertiv ERS, Lee's Summit MO: \$58,205.00
- Shermco Industries, Tulsa OK: \$55,518.00

The City of Winfield has contracted Southwest Electric Company for jobs in the past, including the 2019 and 2021 Technical Support programs, with the 2019 being the same scope of work as 2022 will be. Working with Southwest has been a positive experience and they have proven to do a thorough job.

Staff recommends that the commission consider the bid from Southwest Electric Company for the 2022 Technical Support Program.

Attachments: