

# STAFF REPORT

DATE: 03/05/2026

TO: Bel Aire City Council

FROM: Paula Downs

RE: Sidewalk Replacement Program 2026

---

---

## STAFF COMMUNICATION

FOR MEETING OF	3/17/2026
CITY COUNCIL	
INFORMATION ONLY	

### **SUMMARY: Approval of City of Bel Aire Sidewalk Replacement Program- 2026**

#### **General Information:**

***K.S.A. 12-1808. Repairs by owner or city; notice; special assessments; payment from general fund or general improvement fund, when. It shall be the duty of the owner of the abutting property to keep the sidewalk in repair.....; and in cities of the first and second class the city engineer, or city clerk, may, after giving five days' notice to the owner or his or her agent, if known, of the necessity therefor, and without notice if the lot or piece of land is unoccupied, make all necessary repairs at any time. Repairs may be made by force account or by contract and an account of the cost thereof shall be kept and reported to the governing body.***

*The city shall by ordinance levy a special assessment against the lot or piece of land abutting on the sidewalk so repaired for the cost of repairs, and if the abutting property owner does not pay the assessment within thirty days, upon the city clerk mailing to the owner or his or her agent, if known, a printed or written notice of the amount of such repairs, the full amount shall be certified by the city clerk to the county clerk to be put on the tax rolls for collection like other taxes. The temporary financing of repairs may be borne by the city out of the fund for maintaining streets or out of the general fund or general improvement fund...*

#### **City Code, Chapter 11, Article 3, Paragraph 25 & 26- Sidewalk Repair.**

*It shall be the duty of the owner of the abutting property to keep the sidewalk in repair. When it becomes known to the City Clerk or City Sidewalk Inspector, by personal observation or citizen complaint, that a sidewalk or a portion thereof, has been damaged or deteriorated to the extent it is unsafe or creates a nuisance, said City Clerk or City Sidewalk Inspector shall provide the abutting landowner written notice of the sidewalk defect. Said written notice shall apprise the abutting landowner of his duty to repair the sidewalk to the standards provided herein, and provide a reasonable time based upon current weather conditions, for said owner to make the necessary repairs and have said repairs inspected by the city. Said notice shall further inform the abutting landowner of the city's right to repair said sidewalk defects if said landowner fails to make the necessary repairs within the time provided.*

*If the abutting landowner fails to make the necessary sidewalk repairs within the time provided in said notice, the city shall make the necessary repairs with city staff or an outside contractor and bill the abutting landowner for all costs incurred in said repairs. Should said bill remain unpaid for thirty (30) days, the city may exercise all options available under the law to collect said bill including certifying said amount to the County Clerk to be collected as a tax assessment pursuant to K.S.A. 12-1808.*

## **Sidewalk Replacement Program Data- 2025**

The policy was updated in 2025 and promotes sidewalk improvements and repairs by assisting property owners with such projects. Homeowners are required to apply, and if they meet the application criteria, the grant program covers 100% of the replacement cost.

### **2025 Program:**

- \$15,000 program budget
- 9 applications received and 7 applications awarded
- 5 properties completed requirements:
  - Total of \$10,764.88 reimbursed
  - Replaced 30 sidewalk panels
- 2 properties approved- status as of January 13, 2026:
  - 1 property does not want to move forward with work at the current time
  - 1 property wanted to move forward and will complete work
- Applications not awarded:
  - Property had damage on the driveway and not the sidewalk
  - Property was a “non-profit” HOA and not eligible, per application parameters to participate

## **Proposed Updates to the 2026 Program**

During the administration of the 2025 program, staff determined that additional language should be added to the program for clarity and to assist in the approval of applications.

1. Work must be completed by October 1, 2026.
  - a. With program approval occurring earlier in the year October 1 deadline is appropriate to include.
  - b. October 1 deadline allows for end of year budget/project close-out.
2. The City will accept additional applications for consideration should there be funds available after final estimates are received.
  - a. This allows us to advertise the availability of the program should there be funds available due to receiving lower bids on work.
  - b. Allows staff to approve additional applications with available funds after the initial application timeframe.

3. At the time of application, the property owner must submit a scope of work estimate that includes:
  - a. Number of panels being replaced
  - b. Total square yards of concrete
  - c. Cost per square yard
  - d. All labor, materials, delivery fees, taxes and other fees associated with the work

Having estimates allows staff to know how many applications to approve and to determine if additional funds may be needed.

4. Estimate for work is limited to a per panel cost of \$500.
5. Work may be completed by a licensed contractor licensed in the City of Bel Aire or the property owner. Property owners are subject to completing the work per City code.
  - a. This statement follows the City's process on permitting and licensing.
  - b. Homeowners are required to obtain a permit and pass all inspections.
6. Property owners that apply and are approved for the sidewalk reimbursement program are required to complete the work.
  - a. If an application is approved and the property owner does not move forward with the work, they will be responsible to complete the sidewalk replacement at their expense.
  - b. Should the sidewalk not be replaced prior to October 1, the property owner will be subject to receiving a Code Enforcement Violation.
  - c. If the violation is not corrected, the property owner will receive a citation to appear in municipal court.

**Staff Recommendation:**

The 2026 Sidewalk Replacement Program document includes all additions listed above. Staff recommends approval.