



## MANAGERS REPORT

**DATE:** February 16, 2023  
**TO:** Mayor Benage and City Council  
**FROM:** Ty Lasher, City Manager  
**RE:** February 21, 2023 Agenda

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### **Proclamation (Item V)**

Severe Weather Awareness Week is an initiative of the National Weather Service, Kansas Emergency Management and Sedgwick County Emergency Management to educate our citizens of the dangers associated with severe weather. This is an opportunity for Bel Aire to take part in the awareness of severe weather and encourage our citizens to be prepared as spring is quickly approaching.

### **Consent Agenda (Item VII)**

The Consent Agenda contains only the minutes of the February 7<sup>th</sup> regular City Council meeting and the February 9<sup>th</sup> special meeting.

### **Appropriations Ordinance (Item VIII)**

AP ORD 23-03 includes several payments related to Capital Improvement Projects that total \$1.2 million, all listed on page 4. Also included is \$35,000 in new water service installations, \$20,000 to the Bel Aire Chamber and \$10,000 for Axon body camera payment.

### **Public Hearing (Item XI)**

The purpose of the public hearing is to hear from taxpayers and other interested parties regarding the proposed Taxable Industrial Revenue Bonds for the Bayside Development Project and an exemption from ad valorem taxation of property constructed or purchased with the proceeds of the Bonds.

### **Resolution to Issue IRBs, Bayside Development Project (Item A)**

Bayside Development is planning to develop 120 acres into a commercial park containing 10 warehouses ranging in size from 80,000 to 230,000 square feet. The exact location is on the north side of 53<sup>rd</sup>, next to Epic Sports, and about halfway between Webb and Greenwich. At the February 7, 2023 Council Meeting, the City Council approved a Letter of Intent to issue an IRB. The next step in the issuance is a public hearing which was held earlier and a resolution. Gilmore & Bell will be at the meeting to explain the resolution and answer any questions.

### **Tax Abatements for the 2017 Wickham Glass IRB (Item B)**

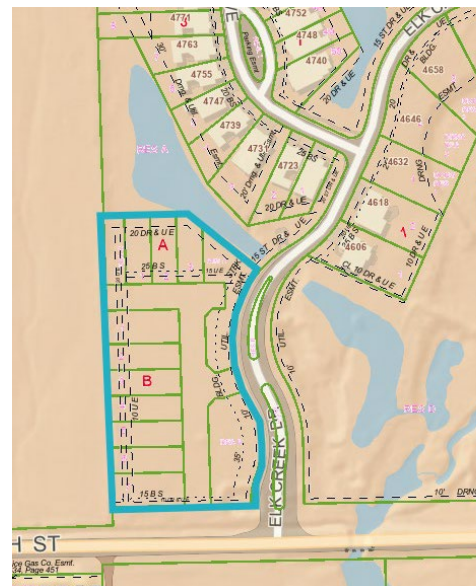
The City issued an IRB for Wickham Glass in 2017. The Letter of Intent required Wickham to meet a capital investment of \$5 million dollars and add 19 full time personnel by the 4<sup>th</sup> year. The IRB and subsequent tax abatements were for a total of 10 years. However, the LOI stated at year 5, council would review for compliance and if the capital investment and new hires were met, council would consider continuing the tax abatements for the final 5 years. Most Bel Aire LOI's have a flat 10 years as long as the requirements are met. There are a few that require council action at year 5 which this is one. Wickham provided me with proof that both requirements were met so I therefore recommend approving the additional 5 years.

### **Vacation Order V-23-01, 4130 N Harding Avenue (Item C)**

At their February meeting, the Planning Commission considered an application for vacation of a 50' front setback to a 25' front setback at 4130 N Harding Ave. The applicant explained that he would like to place a garage (accessory building) on the northeast corner of the lot. The vacation would allow placement at that location. No others requested to speak at the public hearing. Following the public hearing, the commission discussed the application. It was stated that the original setbacks were set at 50' in 1952 due to Union Pacific possibly having a stop in the neighborhood. Because that is no longer a viable issue, the Planning Commission found that the vacation of the 50' setback was a reasonable request and met the criteria for review in the City Subdivision Code. After review, the Planning Commission voted (by passing a 4-0 motion) to recommend the request to vacate the front building setback from 50' to 25' at 4130 N Harding Ave as presented without changes or conditions. The Vacation Order now comes before Council for consideration. As this is a zoning matter, it will require a roll call vote of the Council Members plus the Mayor.

### **Engineering Agreements with KE Miller for Elk Creek 3<sup>rd</sup> (Item D)**

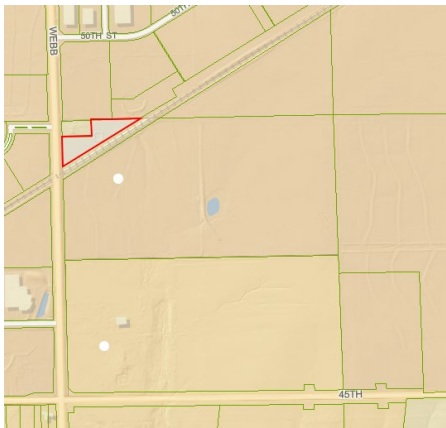
The Developer of Elk Creek 3<sup>rd</sup> is ready to begin installation of public infrastructure. The Developer asked KE Miller be the engineer for this work as they have been involved with platting. The costs associated with the project will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends that Council accept the agreements with KE Miller in the amount of \$4,300.00 for water distribution system design and construction staking, \$7,200.00 for sanitary sewer collection system design and construction staking and \$23,800.00 for street and storm sewer design and construction staking.



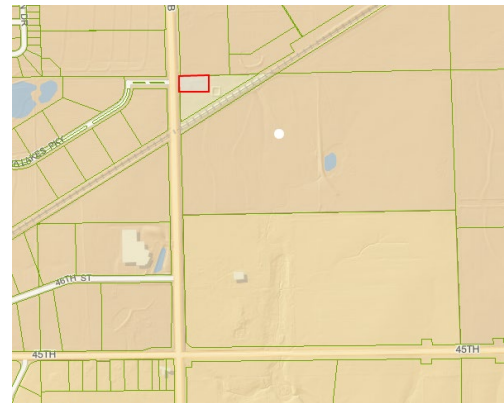
### **Agreements and Ordinance for Annexation, Bryant property (Item E & F)**

This property includes 2 adjoining tracts of land that are owned by the Bryants, a married couple. The Bryants have signed an agreement to have their property annexed into Bel Aire. The agreement includes a temporary tiered tax rebate, zoning plan, and agreement to allow the property to attach to city water and sewer at a later time. This allows the city to clean up an “island” that is completely surrounded by the city limits. Annexing this property into Bel Aire would make the boundary lines of the City contiguous. The City is able to provide sewer, water, and police service to the property. Staff recommends that Council approve the agreement for consent annexation and the related ordinance.

Parcel 1 (PIN 00289668)



Parcel 2 (PIN 00289667)



### **Change Order from Pearson for retaining walls on Woodlawn (Item G)**

With the sidewalk being installed on Odessa, it was determined that retaining walls are needed at the north and south edges of the intersection at Odessa and Woodlawn. There are two issues that make retaining walls necessary. First, the temporary construction easement is not wide enough to allow a smooth transition between the new sidewalk and the existing ground. Secondly, the flagpole monument on the north property and the tree on the south property would have to be removed to allow for a smooth grade, which would require the City to acquire more easement from property owners. The project team determined the best course of action is to install a small retaining wall on these two corners. The cost for the change order is \$38,556.00 and Pearson is not requesting any



additional days through this change order. The additional cost will be included in the bonds and paid from the general fund. If Council chooses to deny the request, Pearson will simply fill the space between the sidewalk and the existing ground, creating a very steep grade that would make it very difficult for property owners to grow vegetation, mow and maintain the area. Staff recommends Council approve Pearson's Change Order Request in the amount of \$38,556.00.

**Engineering Agreement for Aurora Park & Cozy Drive Improvements (Item H)**

Council accepted the petitions for paving Cozy Drive and certain streets in Aurora Park at the February 7<sup>th</sup> meeting. The resolutions approving the project were also adopted at that meeting. Garver completed the drainage study for both areas and is very familiar with the project. They have submitted a proposal to complete the design work, handle staking as well as construction administration and inspections. This cost is included in the petition amounts and will be spread as special assessments. The city could solicit bids. However, they will be higher as any new company would need to complete the preliminary work Garver has already done. In addition, these are small projects and engineering firms are busy with larger projects. Lastly, if we solicit proposals, it will take an extra couple of months which adds to the project timeline and Garver would not bid as they have other projects needing engineering this summer.