

MANAGERS REPORT

DATE: August 31, 2023
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: September 5, 2023 Agenda



Consent Agenda (VI)

The Consent Agenda contains only the minutes of the August 15th regular City Council meeting.

AP Ordinance (VII)

This reporting period includes two payroll periods. The City made the first payment to InfoSend to create a postage fund equal to two months of postage. Statements and late notices should be sent via InfoSend starting with September 15th billing. Refunds were issued to Hot Dawg Pool Party registrants.

City Requested Appearances (VIII)

Pat Herman (Garver) will be here to give a monthly update on Woodlawn construction progress.

Public Hearings (Item IX)

At the August 15th meeting, City Council approved publication of Notice for the following two public hearings. Per state statute, Notice was published on the City's website and in the *Ark Valley News* on August 24th. Tonight, after each hearing is closed (by motion and vote), the Council will have the opportunity to take action on these matters.

Exceeding Revenue Neutral Rate (Items A&B) – Following the public hearing for this item, the Council may consider a Resolution regarding exceeding the revenue neutral rate.

City of Bel Aire Budget (Items C&D)- Following the public hearing for this item, the Council may consider adopting the 2024 budget.

Ordinances, Resolutions and Final Actions (XII):

Special Assessments (Item A)

The following projects are complete, ready for permanent financing and to be special assessed on the benefiting properties. As required, notices will be mailed, a public hearing scheduled, and formal adoption will be taking place over the next few weeks.

These actions start the process. Staff as well as Gilmore & Bell will be at the meeting to explain the process and answer questions.

Project No. 1 – Bristol Hollows Phase 1 - Drainage Improvements
Authorized by Resolution No. R-20-01

Construction of drainage improvements and mass grading, including tree and bush removal, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Project No. 2 – Bristol Hollows Phase 1 - Paving Improvements
Authorized by Resolution No. R-20-02

Grading, paving, curb and gutter appurtenant improvements, and otherwise improve Bristol Street from the south line of 53rd Street North to termination at Lot 22, Block B; and Bristol Circle; all in Bristol Hollows Addition, Bel Aire, Sedgwick County, Kansas, with and plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 3 – Bristol Hollows Phase 1 – Sanitary Sewer Improvements
Authorized by Resolution No. R-20-03

Install a sanitary sewer main, manholes, easement grading and appurtenant improvements in the following locations in Bristol Hollows Addition, Bel Aire, Sedgwick County, Kansas: Running along Lots 20-31, Block A, Bristol Hollows Addition, beginning near the east line of said Lot 20 and ending near the east line of said Lot 31; and Running along lots 23-30, Block B, Bristol Hollows Addition, beginning near the west line of said Lot 23 and ending near the north line of said Lot 30; all in accordance with City of Bel Aire standards and plans and specifications prepared or approved by the City Engineer.

Project No. 4 – Bristol Hollows Phase 1 – Water Main Improvements
Authorized by Resolution No. R-20-04

Install a water main along with appurtenant improvements in the following locations in Bristol Hollows Addition, Bel Aire, Sedgwick County, Kansas: Beginning at the existing water main built in the south right of way of 53rd Street north, then running south along the east right-of-way of Bristol Street. Temporary termination at the west line of Lot 22, Bristol Hollows Addition, Sedgwick County; and Install a water main along with appurtenant improvements in the following locations in Bristol Hollows Addition, Bel Aire, Sedgwick, County, Kansas: Beginning at the proposed water main built in the east right of way of Bristol Street, then running west along the north right-of-way of Bristol Circle and across Bristol Street. Then looping back into a connection on the north side of

Bristol Circle; all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Project No. 5 – Central Park 3rd Addition Phase 2 - Paving Improvements
Authorized by Resolution No. R-20-05

That there be constructed pavement on Gabriel from the north line of Lot 12, Block A, north to the south line of Hampton; on Hampton from the south line of Gabriel north to the west line of Pheasant Ridge St.; on Pheasant Ridge St. from the west line of Hampton, east to the east line of Lot 31, Block A; on Holder Ln. from the north line of Lot 12, Block B, north to the south line of Pheasant Ridge St. That said pavement between aforesaid limits be constructed for a width of twenty-six (26) feet from gutter line to gutter line, and each gutter to be two (2) feet in width, making a total roadway width of thirty (30) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary.

Project No. 6 – Central Park 3rd Addition Phase 2 – Sanitary Sewer Improvements
Authorized by Resolution No. R-20-06

That there be constructed a lateral sanitary sewer, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 7 – Central Park 3rd Addition Phase 2 – Water Distribution Improvements
Authorized by Resolution No. R-20-07

That there be constructed a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Project No. 8 – Rock Spring Addition Phase 7 –Paving Improvements
Authorized by Resolution No. R-20-12

That there be constructed pavement on CHRIS from east return of Chris and Pebblecreek Street to the East line of Rock Spring Addition (Phase 7); CHERRYWOOD CT. from east return of Cherrywood Ct. and Pebblecreek Street to and including the cul-de-sac. That said pavement on Chris and Cherrywood Ct. between aforesaid limits be constructed for a width of twenty-four (24) feet from gutter line to gutter line, and each gutter to be two and one-half (2-1/2) feet in width; making a total roadway width of twenty-nine (29) feet with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas. Drainage to be installed where necessary. A 5' sidewalk shall be installed on the south side of Chris adjacent to the new pavement.

**Project No. 9 – Rock Spring Addition Phase 7 – Sanitary Sewer Improvements
Authorized by Resolution No. R-20-13**

Construction of a lateral sanitary sewer to serve the area described below, to be constructed with plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

**Project No. 10 – Rock Spring Addition Phase 7 –Water Improvements
Authorized by Resolution No. R-20-14**

Construction of a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances to serve the area described below, according to plans and specifications to be furnished by the City Engineer of the City of Bel Aire, Kansas.

Sidewalk Replacement Program FY 2023 (Item B)

The 2022 Sidewalk Replacement Program was a grant project that allowed residents to apply for repair of sidewalk issues on their property. For 2022, Council approved \$15,000 for the program. City Code Enforcement sent out notification to 23 Bel Aire residents in regard to sidewalk repairs. The City received 23 applications, with 20 being awarded. In order to achieve cost savings, the City then bundled repairs into a single project and requested quotes on the project. The project was awarded to Ruiz Concrete. In all, 93 sidewalk slabs were replaced, for a total of 1,860 square feet of sidewalk. Given the success of the program, staff recommends that the Council renew the program and grant funding in the amount of \$15,000.00 for Fiscal Year 2023.

Quotes for Water Test Stations (Item C)

KDHE requires monthly water sampling to ensure safe drinking water. Each sample must be taken from a faucet within the structure of an approved location. For testing purposes, the City is divided into 10 zones, with 5 sample locations within each zone, for a total of 50 locations. These locations must meet KDHE regulations. The locations are selected by staff and submitted to KDHE for approval each year. It is common practice to create two sampling plans and alternate between years to ensure that we are not missing potential areas of concern. As city growth hits milestones, we are required to add more sample locations. When the City reaches a population of 12,901, we will be required to add 25 new locations.

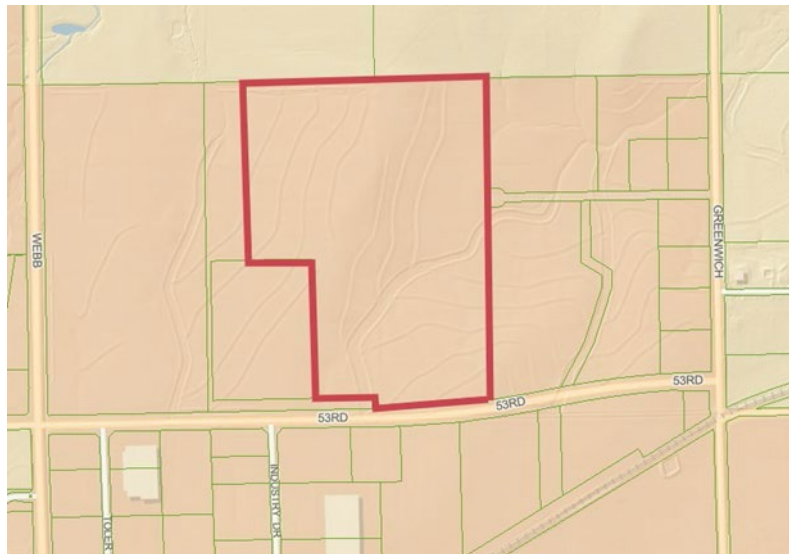
The current method of collecting samples requires a staff member to enter private homes and businesses, which can cause scheduling conflicts with residents. A few residents have protested being on the list, which has required staff to rework and resubmit the sampling plan to the State. Other Cities are switching to dedicated test sample stations and Staff

recommends that Bel Aire do the same. This will result in less staff hours required to take samples and less intrusions into residents' homes.

Staff received quotes from 4 suppliers for water test stations. Staff recommends Council accept the quote from Municipal Supply for 45 test stations in the amount of \$49,500.00.

Agreement for SCP 3rd Construction Observation Services (Item D)

The Developer is ready to begin construction on the first phase of Sunflower Commerce Park 3rd. The City requested Short Elliott Hendrickson (SEH) to prepare an agreement for Construction Observation services for the SCP 3rd Development. The costs associated with the project will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends Council accept the Agreement for Professional Services from SEH in the amount of \$236,000 for construction observation services.



SCP 3rd Overlot Grading Bids (Item E)

The Developer of Sunflower Commerce Park 3rd is ready to move forward with Overlot Grading to prepare for SCP 3rd construction. SEH worked with the Developer to design the grading improvements for Sunflower Commerce Park 3rd. Three contractors submitted bids, with Unruh Excavating being the low-bidder. The cost of the improvements for these projects will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends Council accept the bid from Unruh Excavating for \$914,727.95.

Pedestrian Push Button Change Order, Woodlawn (Item F)

Due to Americans with Disabilities Act Accessibility Guidelines (ADAAG) and challenges with utilities, the locations of the pedestrian push buttons must be adjusted at the intersection of 45th and Woodlawn. At the last meeting, Council tabled this item and

asked MKEC and staff to bring back more information. Staff is recommending that Council approve the proposed change order due to federal guidelines for ADA and the failure to comply could lead to penalties or loss of funds. Anne has provided a report in your packet and MKEC will be at the meeting to answer any questions.

Supplemental Agreement, Woodlawn Construction Observation (Item G)

As part of the City's agreement with KDOT for the Woodlawn funding, a qualified construction inspector is required to oversee this project. City Staff do not have the necessary qualifications to fulfill the construction engineering/inspection requirements of the contract between the City and KDOT. Garver was selected for this role by the City Council at the beginning of the project. Per KDOT's guidelines, Garver based their fee on the initial working day count for the project. Since then, the project has been granted an additional 70 working days.

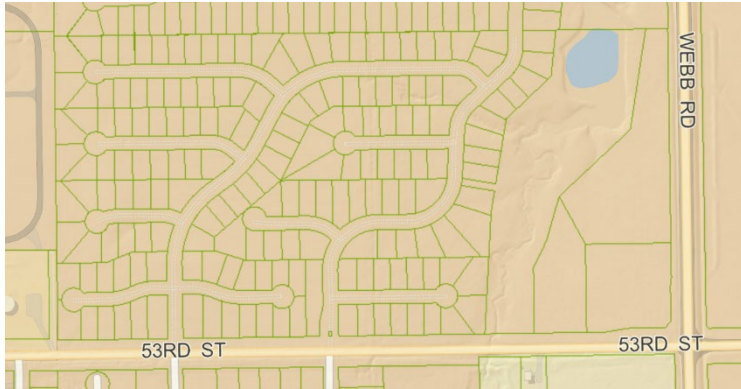
The original agreement with Garver for Construction Engineering/Inspection Services was for \$873,896.61 and 360 days. Due to the additional 70 working days granted by KDOT, Garver is asking for additional dollars to cover inspection costs. Staff were initially presented a supplemental agreement for \$219,323.08 for Garver's additional time on the project. Anne and Ty met with Garver to discuss the fee. After negotiations, Garver agreed to lower their fee to an hourly, not-to-exceed fee of \$199,297.70. The additional cost associated with this Supplemental Agreement will be included in the bonds and paid for out of the general fund. This Supplemental Agreement will increase the total annual debt service payment by approximately \$17,650.

Change Order No. 3 - Cedar Pass SWD (Item H)

During construction, Garver discovered incorrect backyard inlet top elevations on their storm sewer plans. This change order includes additional grading to correct the inlet top elevations. The additional costs associated with this change order will be included in the contract costs for the storm water drainage project and will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends Council accept Change Order No. 3 for \$29,624.93.

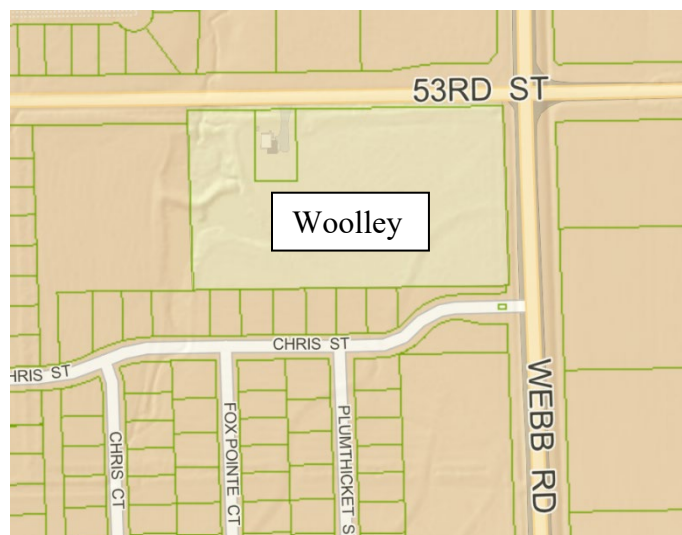
Cedar Pass Paving Bids (Item I)

The Developer of Cedar Pass is ready to move forward with paving for Phase 1. Garver completed the design and solicited bids for both asphalt and concrete. Four contractors submitted bids, with Kansas Paving being the low bid for both concrete and asphalt. The concrete bid was 12% higher than asphalt and Council has determined if the concrete is no more than 30% more, it is better in the long run to pay more for concrete now which saves future maintenance costs. The Developer would prefer asphalt as he feels asphalt is much quicker and the higher interest rates make the 15-year specials more attractive than the 20-year specials. The cost of the improvements for these projects will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends Council accept the low bid for concrete from Kansas Paving.



Annexation Agreement and Ordinance- Woolley property (Items J & K)

The owners of this unplatted tract of land (approximately 8.380 acres) have signed a consent agreement to have their property annexed into the corporate boundaries of the City of Bel Aire. The agreement includes a temporary tiered tax rebate, zoning plan, and agreement to allow the property to connect to city water and sewer at a later date. A consent agreement makes the annexation process easier than if the City were to initiate a unilateral annexation. This annexation allows the city to clean up “islands” that are not a part of the city even though those properties are wholly surrounded by the City. Annexing this property into Bel Aire would make the boundary lines of the City contiguous. Staff recommends that Council accept the annexation agreement and approve the Ordinance.



Resolution – K P&F Retirement Fund (Item L)

During the budget process, Council prioritized employee retention as a goal. In looking at surrounding cities as competitors, it was concluded that Bel Aire was one of only a few municipalities in the region who did not offer this type of retirement system for police. As efforts continue for retention of current officers and to aid in future recruitment, this

move was included in the 2024 Budget. The resolution before you tonight is the first step in the process needed to formalize the change from KPERS to K P & F.

Executive Session (XIII)

Staff is requesting an executive session.

Discussion and Future Issues (XIV) – September Workshop

This month, the Council workshop falls on September 12th at 6:30 p.m. The agenda includes final report on the Parks Master Plan for Rec Center, Bel Aire Park and Central Park. The Central Park Pool will also be discussed. Presentation on Public Works Facility study considering expanding at current site or relocating in Sunflower Commerce Park.