



## MANAGERS REPORT

**DATE:** July 28, 2022  
**TO:** Mayor Benage and City Council  
**FROM:** Ty Lasher, City Manager  
**RE:** August 2, 2022 Agenda

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### **Consent Agenda (Item VI)**

Contains only the minutes of the July 19<sup>th</sup> City Council meeting.

### **Appropriations Ordinance (Item VII)**

This reporting period includes CCUA debt service as well as O & M payments. Capital improvement expenses included \$13,089.89 for CIPP for Pearson's Addition, \$141,188.40 for Rock Spring 4<sup>th</sup> infrastructure, \$21,533.30 for engineering in Rock Spring 5<sup>th</sup> and \$4,400 for solar stop lights at 53<sup>rd</sup> and Rock.

### **City Requested Appearances (Item VIII):**

There are several traffic changes taking place due to the Woodlawn reconstruction. Dakota Zimmerman with Garver Engineering has requested time to discuss the changes and answer questions.

### **Public Hearing (Item IX)**

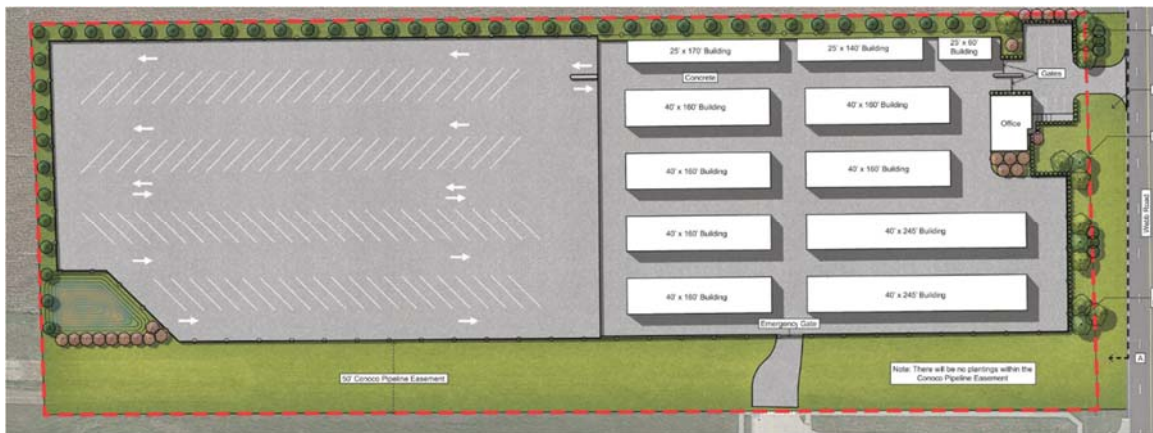
The following projects have been completed: Sewer, Water, Drainage, and Paving in The Villas at Prestwick Phase 1; Rock Spring Phase 6 Sewer and Water; Rock Spring 3<sup>rd</sup> Phase 1 Water, Sewer Drainage and Paving; Webb Road Gravity Main Sewer; and Webb Road Lift Station. As a result, the cost of said improvements are now to be special assessed against those properties benefiting. All properties being assessed have been notified and the public hearing allows property owners the ability to ask questions or share any comments. The mayor will open the public hearing and Council will close.

**IRB Resolution of Intent, Block 49, LLC (Item A):**

Block 49, LLC is developing 80 acres on the west side of Webb north of Tierra Verde. Part of their development includes a storage facility. They plan to construct ten storage buildings and one office building totaling 67,000 square foot of storage. The valuation of the facility will be roughly \$7 million dollars and employ one full time manager. At the July 19, 2022 Council Meeting, the City Council approved a Letter of Intent to issue an IRB with the following PILOT payments:

Year 1	0%
Year 2	10%
Year 3	20%
Year 4	30%
Year 5	40%
Year 6	50%
Year 7	60%
Year 8	70%
Year 9	80%
Year 10	90%

A cost benefit analysis was completed that showed a benefit ratio above 1.3 for all government entities. The next step in the issuance of an IRB is the Resolution. Block 49, LLC is responsible for placing the IRB as well as all financial obligations. Bel Aire is in no way responsible for any debt but simply acts as a conduit for the bond. Kevin Cowan will be at the meeting to answer any questions. Staff recommends approving the resolution.



### **Special Assessment Ordinance (Item B):**

The City issued Temp Notes to fund the flowing projects:

- Project No. 1: Villas at Prestwick Phase 1 - Drainage Improvements
- Project No. 2: Villas at Prestwick Phase 1 - Street Improvements
- Project No. 3: Villas at Prestwick Phase 1 – Sanitary Sewer Improvements
- Project No. 4: Villas at Prestwick Phase 1 – Water Distribution System Improvements
- Project No. 5: Rock Spring Addition Phase 6 - Paving Improvements
- Project No. 6: Rock Spring Addition Phase 6 – Water Improvements
- Project No. 7: Rock Spring 3<sup>rd</sup> Addition – Phase 1 Paving Improvements
- Project No. 8: Rock Spring 3<sup>rd</sup> Addition – Phase 1 Sewer Improvements
- Project No. 9: Rock Spring 3<sup>rd</sup> Addition - Drainage Improvements
- Project No. 10: Rock Spring 3<sup>rd</sup> Addition – Phase 1 Water Improvements
- Project No. 11: Webb Road Gravity Sewer Main Improvements
- Project No. 12: Webb Road Lift Station Improvements

The work has been completed and the projects are set to be special assessed to the respective benefit districts. Notice was mailed to all affected property owners and a public hearing was held earlier in the meeting. The Ordinance is ready for approval if there were no accounting discrepancies found. This will also move the refinancing along from a temp note to GO bond. Kevin Cowan with Gilmore & Bell will be at the meeting to answer any questions.

### **Resolution authorizing GO and Temp Note Sales (Item C):**

This Resolution authorizes the sale of general obligation bonds that will retire temp notes for the above projects being special assessed. The bond will be for 20 years and special assessments collected from the benefiting lots will cover the annual bond payments. Below are the specific projects with dollar amounts being funding via the GO bond:

<b><u>Project Description</u></b>	<b><u>Res. No.</u></b>	<b><u>Authority (K.S.A.)</u></b>	<b><u>Cost</u></b>
<i>Villas at Prestwick Phase 1</i>			
Drainage	R-18-05	K.S.A. 12-6a01 <i>et seq.</i>	\$154,001.25
Street	R-18-07	K.S.A. 12-6a01 <i>et seq.</i>	346,296.44
Sanitary Sewer	R-18-09	K.S.A. 12-6a01 <i>et seq.</i>	174,180.00
Water Distribution	R-18-11	K.S.A. 12-6a01 <i>et seq.</i>	98,906.00

<b><i>Rock Springs Addition Phase 6</i></b>			
Paving	R-19-04	K.S.A. 12-6a01 <i>et seq.</i>	289,287.14
Water	R-19-05	K.S.A. 12-6a01 <i>et seq.</i>	44,360.74
<b><i>Rock Spring 3<sup>rd</sup> Addition</i></b>			
Paving, Phase 1	R-21-26	K.S.A. 12-6a01 <i>et seq.</i>	530,867.62
Sewer, Phase 1	R-21-28	K.S.A. 12-6a01 <i>et seq.</i>	155,301.40
Drainage	R-21-30	K.S.A. 12-6a01 <i>et seq.</i>	198,801.02
Water, Phase 1	R-21-31	K.S.A. 12-6a01 <i>et seq.</i>	95,816.12
<b><i>Webb Road Gravity Sewer Main</i></b>	R-20-10	K.S.A. 12-6a01 <i>et seq.</i>	184,029.64
<b><i>Webb Road Lift Station</i></b>	R-20-11	K.S.A. 12-6a01 <i>et seq.</i>	845,960.83

This Resolution also authorizes the sale of temp note bonds to fund new improvements petitioned by property owners. The temp note is for a period of three years and after the improvements are completed with total costs determined, a GO bond will be issued to pay off the temp note and permanently finance the improvements for 20 years. Below is the list of projects being funded by the temp note:

<b><u>Project Description</u></b>	<b><u>Res. No.</u></b>	<b><u>Authority (K.S.A.)</u></b>	<b><u>Estimated Cost*</u></b>
<b><i>Chapel Landing Addition Phase 2</i></b>			
Paving	R-21-50	K.S.A. 12-6a01 <i>et seq.</i>	\$554,000
Sanitary Sewer	R-21-51	K.S.A. 12-6a01 <i>et seq.</i>	521,000
Drainage	R-21-52	K.S.A. 12-6a01 <i>et seq.</i>	532,000
Water Distribution	R-21-53	K.S.A. 12-6a01 <i>et seq.</i>	287,000
<b><i>Skyview at Block 49 Phase 2</i></b>			
Paving	R-22-01	K.S.A. 12-6a01 <i>et seq.</i>	\$372,000
Sanitary Sewer	R-22-02	K.S.A. 12-6a01 <i>et seq.</i>	173,000
Sidewalk	R-22-03	K.S.A. 12-6a01 <i>et seq.</i>	18,000
Drainage	R-22-04	K.S.A. 12-6a01 <i>et seq.</i>	271,000
Water Distribution	R-22-05	K.S.A. 12-6a01 <i>et seq.</i>	107,000
<b><i>Bristol Hollows Addition Phase 2</i></b>			
Paving	R-22-09	K.S.A. 12-6a01 <i>et seq.</i>	616,000
Sanitary Sewer	R-22-10	K.S.A. 12-6a01 <i>et seq.</i>	195,000
Water	R-22-11	K.S.A. 12-6a01 <i>et seq.</i>	173,000
<b><i>Chapel Landing Addition and Homestead Senior Landing</i></b>			

Sanitary Sewer Main	R-22-33	K.S.A. 12-6a01 <i>et seq.</i>	153,000
Sanitary Sewer Pump Station	R-22-34	K.S.A. 12-6a01 <i>et seq.</i>	1,685,000
<b><i>Cedar Pass Addition Phase 1</i></b>			
Paving	R-22-13	K.S.A. 12-6a01 <i>et seq.</i>	777,000
Sanitary Sewer	R-22-14	K.S.A. 12-6a01 <i>et seq.</i>	472,000
Drainage	R-22-15	K.S.A. 12-6a01 <i>et seq.</i>	1,092,000
Water Distribution	R-22-16	K.S.A. 12-6a01 <i>et seq.</i>	368,000

### **Utility Advisory Committee Revised Bylaws (Item D)**

The UAC requested a change to their bylaws to solve two issues. First, all UAC terms expire at the same time currently. As of now, the City technically has no members on the UAC as they all expired in July at the same time. The recommended update to the bylaws before Council will stagger those terms so no more than two seats are up for appointment at the same time beginning in August of 2022. After the initial 2022 term, each seat would cycle through a 3-year term.

Secondly, the update to the bylaws removes the 3-term limit requirement for members. UAC members feel there is great value in the continuity their long serving members bring to the research the advisory board does, and they recognize that it's already hard to find people to volunteer for the committee. By removing the term limit, the city can increase to the pool of eligible volunteers.

### **Utility Advisory Committee Appointments (Items E - H)**

Due to the changes in bylaws regarding members and terms, the UAC is requesting reappointments to be made and staggered. The current members agreed to continue serving with terms identified on the agenda. There is one open seat.

### **Zone Change Ordinance (Item I)**

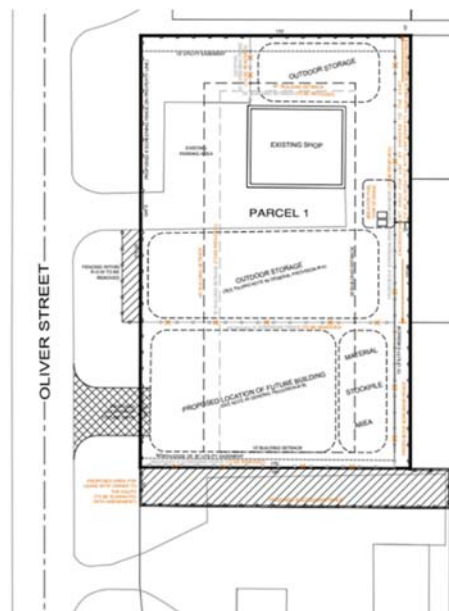
The owner of approximately 73 acres north of land owned by Jabara Airport on the northeast corner of 45<sup>th</sup> and Webb requested a zone change from AG to M-1 Industrial. This parcel was recently annexed into the city. Steve Barrett represented the buyer and has the land under a purchase contract. The Planning Commission recognize the land to the north, east and west was all zoned industrial and the parcel to the south is owned by Jabara Airport. There were no residents in attendance wanting to speak on the rezoning. After consideration of the Golden Factors and the request for the zoning change, the Planning Commission voted (by

passing a 5-0 motion) to recommend the zone change be approved by the City Council.



### **Winkley Addition Zone Change and PUD Overlay (Item J)**

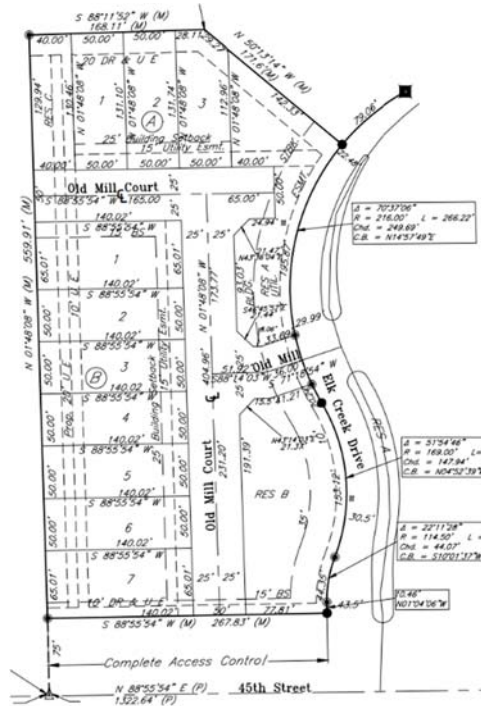
The owner of Parcel 1 of the Winkley Addition requested a reduction of the 50' building setback from Oliver to 40' building setback, a reduction in the building setback from 35' to 30' for two new buildings on the NE and NW corners of existing building, the addition of two 500 ga. storage tanks, a request to remove the 10' buffer on the east property line and moving the fence to the southern property line (removing the 25' easement). The planning commission discussed the mobile fuel storage tanks and the owner stated that the tanks would meet all state and local requirements for the tanks per the PUD. There were no residents in attendance to speak on the issue. Taking all considerations into account, the Planning Commission voted (by passing a 5-0 motion) to approve amending the PUD for Winkley Addition Commercial to reduce building setbacks, remove certain screening requirements and add a fuel tank storage area without changes).





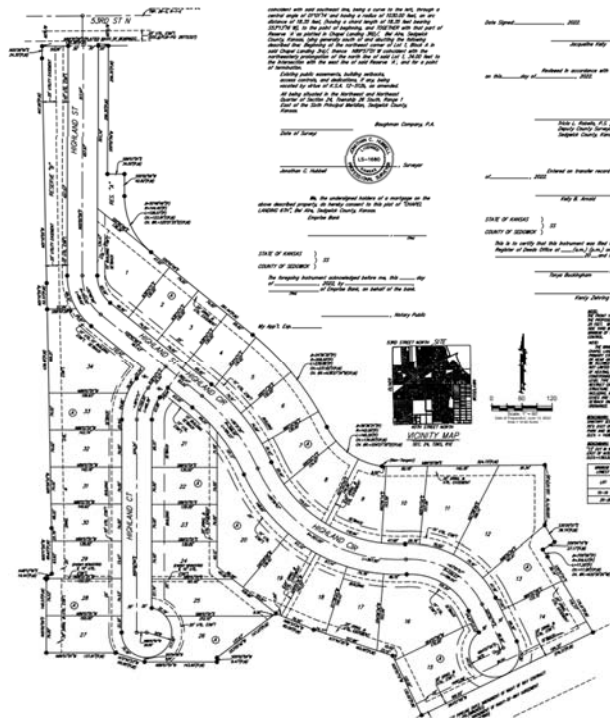
### **Final Plat of Elk Creek 3<sup>rd</sup> (Item K)**

At their July 19<sup>th</sup> meeting, the Planning Commission reviewed the Developer's preliminary and final plats for Elk Creek 3<sup>rd</sup>. A public hearing was held to allow interested parties and citizens to share any comments or concerns. No one spoke at the public hearing. Following the hearing, the Planning Commission considered the evidence, discussed the plat, and reviewed the report provided by staff. After diligent consideration, the Planning Commission voted (by passing a 5-0 motion) to approve the final plat without changes. The Commission recommends Council accept the Developer's commitment to dedicate certain land within the plat for public purposes.



### **Final Plat of Chapel Landing 6<sup>th</sup> (Item L)**

At their July 19<sup>th</sup> meeting, the Planning Commission reviewed the Developer's preliminary and final plats for Chapel Landing 6<sup>th</sup>. A public hearing was held to allow interested parties and citizens to share any comments or concerns. No one spoke at the public hearing. Following the hearing, the Planning Commission considered the evidence, discussed the plat, and reviewed the report provided by staff. After diligent consideration, the Planning Commission voted (by passing a 5-0 motion) to approve the final plat without changes. The Commission recommends Council accept the Developer's commitment to dedicate certain land within the plat for public purposes.



### **Discussion And Future Issues (XIV)**

Keeping with the traditional schedule for workshops (the second Tuesday of the month), the next workshop will fall on August 9<sup>th</sup> at 6:30 p.m. Ted will present his revised draft of the 2023 budget based on input from the July workshop. The goal is to have the budget completed at this workshop so adoption can take place in September.

The Council Retreat is scheduled for August 13<sup>th</sup> beginning at 9:00 am. It will be open to the public but not televised.

The Developer wanting to purchase the lot across from City Hall has presented a new offer for the Land Bank. He would like to attend a Land Bank meeting and present his development. Will 6:30 pm on August 16<sup>th</sup> work for a Land Bank meeting?