

# MANAGER'S REPORT

**DATE:** May 1, 2025  
**TO:** Mayor Benage and City Council  
**FROM:** Ted Henry, City Manager  
**RE:** May 6, 2025 Agenda

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## **Flag Ceremony (Item IV)**

Boy Scout Troop #585 will present the colors.

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

The consent agenda contains the minutes of the April 15<sup>th</sup> regular City Council meeting and the April 29<sup>th</sup> special meeting.

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

This appropriation ordinance encompasses 04/09/2025 through 04/29/2025 expenses and two payroll cycles. Expenditures amounted to \$2,379,971.08. Of the reported expenses, \$273,955.75 are infrastructure costs for new developments. These costs are paid through special assessments.

## **City Requested Appearances (Item IX)**

Luke Peter, PEC, will provide an update on the 2025 Street Maintenance Project.

## **Change Order for asphalt replacement, 2025 Street Maintenance Project (Item A)**

Asphalt mill and overlay repairs were approved by Council for several streets as part of the 2025 Street Maintenance Plan. However recently, when repairs began in certain locations it was discovered that the existing asphalt had degraded more than expected. In these locations, a full-depth replacement of the asphalt is necessary. Anne has provided a report in your packet and will be available at the meeting to answer any questions. The funds for this change order will be paid from the Street Improvement line item in the Streets Fund. The City had additional carryover funds from the 2024 streets program that were not utilized. Staff recommends that the City Council accept Change Order No. 2 for the full depth replacement on Stratford, Stratford Ct and the south return of the intersection at 45th and Hillcrest in the amount of \$107,024.00.

## **Development Agreement and Zoning Ordinance for Chapel Landing (Items B-C)**

At their April meeting, the Planning Commission voted to recommend approval of an R-PUD for Chapel Landing Addition, contingent upon the approval of a Development Agreement and a Party Wall Agreement. Now the Recommendation and agreements come before Council for consideration. The May 5th City Council agenda packet includes the unapproved Minutes of the April Planning Commission meeting and a detailed staff report on the case. When the Council considers the zoning ordinance, certain public hearing procedures should be followed – Mayor Benage will lead the Council through the procedures. Community Development Director Paula Downs and City Attorney Maria Schrock will be present to answer questions.

#### **Development Agreement for Tierra Verde South Addition PUD (Item D)**

The Development Agreement outlines the responsibilities of the Developer and the City, before, during and after construction. Paula and Maria will be available to answer any questions.

#### **Vacation Ordinance and Zoning Ordinance for Tierra Verde South (Item E-F)**

At their April meeting, the Planning Commission considered two applications for the same property in Tierra Verde South Addition; one for vacation of a building setback, and one to amend the zoning (PUD). Following public hearings on each application, the Planning Commission voted, in two separate actions, to Recommend approval of the Vacation and PUD with no conditions. Now the Recommendations come before Council for consideration. The May 5th City Council agenda packet includes the unapproved Minutes of the April Planning Commission meeting and a detailed staff report on both cases. Mayor Benage will lead the Council through the public hearing procedures. Community Development Director Paula Downs and City Attorney Maria Schrock will be present to answer questions.

#### **New Change Order for fire hydrant near sewer lift station (Item G)**

On April 15<sup>th</sup>, the City Council discussed adding a fire hydrant near the Webb Rd sewer lift station to aid in lift station maintenance and reduce corrosion in nearby sewer infrastructure. The Council was favorable to the idea but wanted the City Engineer to work with the engineers for the Bel Aire Lakes Addition (PEC) to find lower cost options. Anne worked with PEC to provide the new change order presented in the packet, lowering the cost from \$35,000 to \$15,000. In order to approve the new change order, the City Attorney recommends that the Council take two actions: rescind the motion from April 15<sup>th</sup> that approved the old change order (No. 2, not to exceed \$35,000) and then accept the new change order (No. 4, not to exceed \$15,000). Anne and Maria will be present to answer questions.

#### **Quote for Tyler One ERP Pro Payments (Item H)**

On February 4th, 2025, the City Council and staff discussed updates regarding payment processing fees for card transactions. Staff presented three options provided by the sales team at Tyler Technologies: the Absorbed method, Convenience Fee method, and Service Fee option. During the meeting, the City Council instructed our City Attorney to meet with Tyler Technologies' attorneys to clarify any concerns. Following this meeting, staff was surprised to learn that the Convenience Fee method was no longer available according to Tyler Technologies' attorneys. As a result, we are now left with two viable options: the Absorbed method or the Service Fee option. The Absorbed method incurs costs for the City per transaction. The Service Fee option, though the most expensive for customers, addresses legal concerns by allowing a third party to collect the fee, displayed as a separate transaction on the customer's side. Included in the packet is a report with a breakdown of costs. Finance Director Barry Smith will present the options and lead the discussion at the City Council meeting.

#### **Resolution Approving Acceptance of Credit Cards (I)**

A significant number of the payments for utilities and other City services are made by card. Bel Aire customers seem to prefer the convenience of paying by card. However, these payments come with fees from the payment processing companies. K.S.A. 12-16,125 allows all Kansas cities to accept credit payments and recoup a portion of the processing charges issued by card

processors. In accordance with K.S.A. 12-16,125, the Resolution would direct City staff to accept credit cards for the payment of all financial obligations owing to the City.

### **Resolution In Support of Tax-Exempt Financing (J)**

Tax-exempt municipal bonds are the primary means by which state and local governments finance critical infrastructure such as roads, bridges, hospitals, schools, and utility systems. Recent proposals at the federal level would repeal the tax exemption on municipal bonds. These proposals to reduce or repeal the tax exemption would have severely detrimental impacts on national infrastructure and the municipal market. Total repeal of the exemption over the next decade (2026 – 2035) could cost state and local governments over \$800 billion in additional interest costs. If approved, this Resolution In Support of Tax-Exempt Financing will be sent to State and Federal Legislators.

### **Executive Session**

One Executive Session is on the agenda.

### **Discussion And Future Issues – Workshop, May 13<sup>th</sup>**

The next scheduled City Council workshop will be held at 7:00 p.m. on May 13, 2025.