



MANAGERS REPORT

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

Consent Agenda (Item VI)

The consent agenda includes:

- Minutes of the March 7, 2023 regular City Council meeting.
- Minutes of the March 7, 2023 special City Council meeting.
- 2023 Municipal Water Conservation Plan submitted by the Utility Advisory Committee.
- Appointment of Jennifer Hill as Interim City Attorney.

Appropriations Ordinance (Item VII)

This reporting period includes one payroll period. Insituform received their first payment of \$141,685 for the sewer lining project approved in 2022. PEC invoiced for several items including continued work on the Water/Sewer master plan, GIS assistance, Planning assistance and pavement improvements and was issued payment of \$18,103 for these ongoing services and projects. Infrastructure payments totaled \$744,000 for Bristol Hollows, Chapel Landing and Cedar Pass, all of which will be special assessed.

City Requested Appearances (Item VIII)

Gary O'Neal with the Bel Aire Lions Club requested to speak and answer questions related to the Bellino Fireworks location.

Bellino Fireworks Sales Permit (Item A):

The 2023 Bellino Fireworks Permit application was on the consent agenda at the March 7, 2023 Council Meeting. There were some concerns raised relating to location and Woodlawn construction. Mayor Benage removed the item from the consent agenda until additional information could be gathered. Bellino Fireworks is affiliated with the Bel Aire Lions Club. Gary O'Neal, Bel Aire Lions, will address any concerns during city requested

appearances on stand location and answer questions. Staff recommends approval of the permit. If the location needs to change prior to the tent installation, the permit can simply be amended with the new location.

Agreement For Ordinance Annexation -Kilgore property (Items B & C)

Jaci worked with the owners of this property to annex it into the City. This property includes a roughly 15-acre tract of land along 53rd street, just west of Oliver. The owners have signed an agreement to have their property annexed into Bel Aire. The agreement includes a temporary tiered tax rebate, zoning plan, plan for their current animals and an agreement to allow the property to attach to city water and sewer at a later time, most likely initiated by the owners. 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 Council approve the agreement for consent annexation and the related ordinance.

Accept dedications, Final Plat of Skyview at Block 49, 4th Addition (Item D)

At the March 9th Planning Commission meeting, the planning commission considered a final plat at Skyview at Block 49, Fourth Addition. The Developer requested to change the Final Plat to allow for Reserve “A”, which was to be used as a park, to be replaced with 3 buildable lots. This is due to the dedication of other lots on the plat for a larger, more neighborhood friendly park. After discussion, Commissioners agreed that this was a reasonable request and met the guidelines for recommendation of the final plat. After review, the Planning Commission voted (by passing a 5-0 motion) to accept the final plat without conditions. It now comes before Council to accept the dedications. Staff recommends approval.

Quote for Comprehensive Development Plan (Item E)

At the March 7th Council meeting, the City Council voted to table this item to request bidders give their beginning and completion dates. That information was provided as follows: PEC’s time frame (April 1-September 30, 2023), Multistudio’s time from (May 1 – November 30, 2023) and RDG’s time frame (Fall 2023 – Summer 2024). PEC begins and ends sooner than the other two bidders which is important with all the growth occurring in Bel Aire. The Planning Commission recommend using PEC to complete the project. PEC has great familiarity with the city, they are handling our 5-year street CIP program, currently studying our water and sewer infrastructure, and can complete the comp plan sooner than the others.

Staff recommends Council accept the bid from PEC in the amount not to exceed \$53,000.

Consideration of a bid for sewer point repairs (Item F)

At the conclusion of the cleaning and televising of the lines to prep them for Cured-In-Place-Pipe by Insituform, several broken pipes have been encountered. For Insituform to finish their project these lines will need to be repaired. Staff reached out to five contractors requesting bids for sewer line repair. Only one of the contractors responded to our request. Contractors that did not bid were either too busy or felt the job was not big enough to bid on. The cost of these improvements will be paid from the Capital Improvement Fund from funds set aside for sewer improvements. This item was discussed at the March 14th workshop and staff recommends Council accept the bid from UMC for \$118,475.00

Bid for replacement of water main on Hanover (Item G)

At the March 14th workshop, Council reviewed the proposed 2023 public works improvement projects, which included the replacement of the water main on Hanover between Auburn and Kenawee. The 4" cast main has incurred several leaks in past years due to age, pitting and rusting which will only get worse. Staff reached out to five contractors requesting bids for the installation of 8" PVC pipe and one fire hydrant with a shutoff valve. Only two of the contractors submitted bids. Their bids include all service lines to be reconnected. The three contractors who did not submit a bid replied that it was not a big enough project to bid on, or the contractor was too busy. The cost of these improvements will be paid for out of the Capital Improvement Fund from funds set aside for water improvements. Staff recommends Council accept the bid from McCullough Construction, at a cost not to exceed \$211,300, to perform the water line replacement.

Municipal Court Service Provider Agreement (Item H)

As part of operating a municipal court system, the city is required to offer the services of a public defender in certain instances. Bel Aire has used Lautz Law firm as the Bel Aire Public Defender since 2013. Mr. Lautz is the public defender for several other cities. There are few law firms who provide these services for various reasons. Shawn is moving his fee from an hourly rate to fixed fee. There will be an increase in costs, however, the fee was low as it had not been raised in 10 years. As with most situations of hourly verses fixed rates, there are times when the City benefits and times when the contractor benefits. Based on history, staff has determined there will be a minor financial increase from one billing to the other. Keep in

mind that the substantial increase you see is due to the overall rate increasing from 2013 to 2023. Staff feels Shawn provides a good service at a reasonable rate and would struggle finding a new firm. As such, staff recommends approval.

Executive Session (Item XII)

Staff is requesting an executive session.