

# MANAGERS REPORT

**DATE:** July 27, 2024  
**TO:** Mayor Benage and City Council  
**FROM:** Ted Henry, City Manager  
**RE:** July 2, 2024 Agenda



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

The Consent Agenda contains the minutes of the June 18, 2024 regular City Council meeting.

In addition, the annual Municipal Water Conservation Plan is on the consent agenda for acceptance. KDHE requires any provider of potable water to maintain a water conservation plan should an emergency or drought hit their system. The plan must be adopted annually with CCUA, City of Wichita and KDHE receiving a copy. The Utility Advisory Committee (UAC) reviewed the plan and worked with staff on the updated version in your packet.

Finally, three reappointments are on the consent agenda for Council to consider confirming: John Charleston for the Planning Commission, and Dan Broyles and Terry Ercolani for the Utility Advisory Committee. Mr. Ercolani just completed his first term on the UAC and serves as the Secretary for the committee. Both Mr. Broyles and Mr. Charleston have served Bel Aire in their respective roles for many years.

## **AP Ordinance (Item VII)**

This appropriation ordinance encompasses 6/12/2024 through 6/23/2024 expenses and one payroll cycle. Expenditures amounted to \$925,527.79. Of the reported expenses, \$341,212.33 are infrastructure costs for new developments. These costs are paid through special assessments.

## **Public Hearing, IRB Issuance for WAM Investments, Phase 2 (Item X)**

At the June 18<sup>th</sup> meeting, City Council approved the Letter of Intent to issue Industrial Revenue Bonds. The purpose of the public hearing is to hear from taxpayers, citizens and other interested parties in regard to the issuance by the City of Bel Aire, Kansas of Industrial Revenue Bonds (WAM Investments - Phase 2), in a principal amount not to exceed \$3,700,000 (the "Bonds") and in regard to an exemption from ad valorem taxation of property constructed or purchased with the

proceeds of such Bonds. The Bonds are proposed to be issued to pay the costs of acquiring, constructing and equipping a commercial facility to be located at 9000 E. 46th Street North, Bel Aire, Kansas. The Issuer further intends to lease such facility to WAM Investments, LLC, a Kansas limited liability company, or another legal entity to be formed by the principals of WAM Investments, LLC (the “Tenant”).

**Resolution - IRB Issuance, WAM Investments Ph 2 (Item A)**

A related public hearing will take place immediately before this agenda item. If the resolution is approved, the bonds will be used to finance the costs of two buildings totaling 28,000 square feet at a cost of \$3,700,000. This development aims to provide more space for current and potential tenants, particularly home-based businesses looking to transition into commercial spaces within Bel Aire.

**Dedications - SD-23-05 Revised Final Plat for Chapel Landing 7<sup>th</sup> (Item B)**

On June 13<sup>th</sup>, the Planning Commission heard case SD-23-05 (revised final plat for Chapel Landing 7<sup>th</sup>). The agent for the applicant reviewed the changes to the original final plat and discussed the geotechnical findings making the original layout of the final plat very difficult to design with concerns for the long-term viability of the streets. Commissioners were concerned about the length of the cul-de-sac and fire protection services. The agent responded that the cul-de-sac was about 600’ in length and shorter than others in the area. Staff responded that the Fire Department has seen the revised final plat and had no concerns with the length of the cul-de-sac. Commissioners asked about the drainage and staff responded that the owners of Bristol Hollows have deeded Reserve A to Chapel Landing 7<sup>th</sup> and a drainage agreement has been worked out with City approval and had no concerns regarding the drainage. Following discussion, the Planning Commission recommended approving the Revised Final Plat for Chapel Landing 7<sup>th</sup> in a 5-0 vote. The Revised Final Plat now comes before Council for acceptance of the dedications of public streets and other rights of way, as they appear in the plat.

**Development Agreement - Chapel Landing 7<sup>th</sup> (Item C)**

For every new development, the City requires a Development Agreement be negotiated and approved. This agreement spells out, in writing, the responsibilities of each party during construction and after. The agreement is filed with the plat for future reference. Staff and the Developer have agreed upon the language contained in this agreement and it is now ready for final approval by the City Council.

### **Conditional Use Ordinance for Daycare (Item D)**

City Zoning Code places certain restrictions on the use of residential-zoned property for other uses. A couple who live in a home in the Rock Spring neighborhood, which is zoned R-5, recently applied for a conditional use permit to operate a daycare in their home. On June 13<sup>th</sup>, the Planning Commission reviewed the application and held a public hearing on the matter. The Commission heard from the applicants and two residents. One resident was curious about the hours of operation and number of children allowed. The other resident was concerned about additional traffic and noise. Following the public hearing, the Commission discussed noise and traffic concerns. After discussion, the Commission voted (5-0) to recommend approval of the conditional use. The recommendation now comes before Council for consideration. If the recommendation is accepted, the Ordinance in your packet may be adopted to grant the conditional use.

### **Executive Session**

Two executive sessions are on the agenda.

### **Discussion and Future Issues – July workshop**

The next City Council workshop is scheduled for 6:30 p.m. on July 9<sup>th</sup>.