

MANAGER'S REPORT

DATE: August 28, 2025
TO: Mayor Benage and City Council
FROM: Ted Henry, City Manager
RE: September 2, 2025 Agenda



Consent Agenda (Item VI)

The Consent Agenda contains only the Minutes of the August 19, 2025 City Council meeting.

Appropriations Ordinance (Item VII)

This appropriation ordinance encompasses 08/13/2025 through 08/26/2025 expenses and one payroll cycle. Expenditures amounted to \$2,628,966.16. Of the reported expenses, \$1,080,349.43 are infrastructure costs for new developments. These costs are paid through special assessments.

Public Hearing & Resolution regarding property tax levy in excess of RNR (Item IX.A.)

Per state legislation, if a local government entity intends to levy a tax rate greater than the Revenue Neutral Rate (RNR), the entity must hold a hearing. The RNR is provided by the County Clerk and sent to each unit of local government on or before June 15th of each year. The RNR is calculated by taking the total property taxes levied by the unit of local government for the prior year divided by the current estimated valuation of the unit of local government. To exceed the RNR, each unit of local government must publish the hearing date and notify the County Clerk. Director of Finance Barry Smith has provided a detailed description of this procedure in the staff report in your packet.

The RNR for 2026 has been calculated at 36.760 mills. The 2025 mill rate is 42.484 and the proposed mill rate for the 2026 budget is 41.000 mills. State law requires that the RNR hearing be held separately, and prior to, the Annual Budget Hearing. State statute requires a Resolution to exceed the RNR be approved by a roll call vote prior to the adoption of the annual budget. The statute states "Such vote of the governing body shall be conducted at the public hearing and on the same day as the commencement of the hearing..." For that reason, in an abundance of caution, the vote will be taken during the RNR Public Hearing, after all interested taxpayers have been heard, and before the public hearing is closed.

Public Hearing regarding 2026 City of Bel Aire Budget (Item IX.B.)

Since April, the City Council has discussed the proposed 2026 budget over several workshops. On August 19th, the Council approved publication of Notice of Hearing for the budget; the Notice was published in the Ark Valley News and on the City's website. Tonight, the Council will hold the public hearing. After everyone has been given an opportunity to speak, the Council may close the hearing with a motion and vote. Later in the meeting, the Council will consider approving the budget.

Approval of 2026 City of Bel Aire Budget (Item A)

Earlier in the meeting the Council will hold a public hearing on the budget, per state statute. Following the hearing, the Council may consider approving the budget. This will require a roll call vote of all Councilmembers.

Ordinance Levying Special Assessments (Item B)

At the August 19th City Council meeting, per state statute, a public hearing was held regarding special assessments. Some residents raised concerns that they or their neighbors had not received letters giving notice of the hearing. The Council tabled consideration of this Ordinance in order to allow staff time to research the issue and reach out to affected homeowners.

If the Ordinance is approved, notice will be sent to all affected property owners, notifying them of a 15 day “prepayment” window. During the 15 days, property owners will have the opportunity to pay a portion or all of the assessed costs without interest. After the 15-day period closes, any remaining balance will be reported to the County Clerk’s office to be incorporated in the property’s tax bill and spread over a period of 20 years. Staff, as well as Gilmore & Bell, will be at the meeting to explain the process and answer questions.

Resolution Authorizing G.O. Bonds & G.O. Temporary Notes (Item C)

Several infrastructure projects related to new developments are complete, ready for permanent financing and ready to be special assessed to benefiting properties. If the Ordinance is approved earlier in the meeting, the Council may then consider approving the Resolution. Kevin Cowan will be available to answer any questions.

Ordinance Approving Zone Change ZON-25-01, Lycee Addition (Item D)

On August 14th the Planning Commission held a public hearing for zoning case ZON-25-01. The Developer has requested changes to the PUD for this property. The current PUD was approved in 2022. In particular, the Developer would like to include tri-plexes and four-plexes in the Residential portion of the PUD and would like relief from certain provisions of the code in order to implement his plans. In reviewing the case, staff found that a previous change in zoning had not been formally approved in the proper manner- a zoning case should have been filed and an Ordinance developed and approved. Staff recommended approval of the change in zoning from C-1 to R-PUD which addresses the change in zoning and provides for an R-PUD Preliminary Plat document with PUD language vs. a separate PUD Agreement. The proposed PUD plat sets out Parcel 1, the commercial lot and Parcel 2, the R-6 residential lots. The general provisions set out how the area will be developed, and relief from certain provisions of the code that the developer is seeking. Also, staff recommended one condition be added: that the Landscape plan be reviewed and approved by Zoning Administrator for Parcel 2 before any building permits are issued. In addition to street tree requirements, the Plan shall include an increase of the proposed 8 ornamental trees on the interior of the lot where feasible, and screening details for the trash enclosures.

At the public hearing, the Planning Commission heard from the applicant, and three owners of nearby properties. Following the hearing, the Planning Commission discussed the case as it relates to the City’s zoning code and certain Golden Factors. After considering the evidence, the Planning

Commission voted 4-0 to recommend to the City Council approval of the zone change request with the condition that the Landscape Plan be reviewed per staff's recommendation. The zoning Ordinance now comes before the Council to consider. Paula Downs will be present for questions.

Ordinance Approving 2035 Comprehensive Plan (Item E)

In 2023, the City initiated a project to create a new comprehensive plan. Professional Engineering Consultants were retained to gather community feedback and draft the plan. The Comprehensive Plan describes a vision and framework for the community's development over the next 10 years. The document will serve as a roadmap for adopting new policies and initiatives that achieve its identified vision. The comprehensive plan will assist the City Council in making well-informed decisions regarding land use and capital improvements. The plan will complement zoning regulations, development codes, capital improvement programs and other city processes.

The city placed notification on the City of Bel Aire's website as required by city code. The affidavit of publication is provided. The comprehensive plan required notification of public hearing which was made on July 24, 2025. Planning Commission approved the Comprehensive Plan Resolution at their August 14, 2025, meeting. The draft meeting minutes provide details of the discussion and are included in the agenda packet.

Ordinance Designating Planning Commission as Board of Zoning Appeals (Item F)

The City of Bel Aire currently does not have an appointed Board of Zoning Appeals (BZA). The BZA is granted authority under K.S.A. 12-713 and is designated to hear appeals of the building official or any other administrative official's interpretation of the zoning regulations. In addition, the BZA hears variance cases, which are specifically set out in Chapter 18, Article 3 of the Bel Aire zoning regulations. In 1996, the City first designated the Bel Aire Planning Commission as the BZA. Then, in 2014, the City approved Ordinance 548 appointing the BZA as a three-member board, separate from the Planning Commission. There currently are no appointed members to the BZA and no records indicating when the BZA was last appointed. In the absence of a BZA, there is no mechanism for appeals or variance cases to be heard, which has required other approval processes to be followed.

Surrounding communities including Derby, Park City, Kechi, Valley Center, Maize and others, utilize the Planning Commission as the BZA. Planning and Zoning cases are becoming more detailed and complex. The Planning Commission has extensive experience with hearing planning and zoning cases and with the zoning regulations in the City. Staff recommend approval of the Ordinance authorizing the Planning Commission to be designated as the Board of Zoning Appeals for the City of Bel Aire. Paula and Maria will be available for questions.

Resolution Amending Bylaws of Planning Commission (Item G)

The Planning Commission Bylaws were developed in 1991. Recently, Staff reviewed Bel Aire's By-Laws, reviewed the By-Laws of surrounding area Planning Commissions, and updated the document. The Planning Commission then discussed the revisions over several meetings. At their August meeting, the Commission completed their review of the revised By-Laws. The By-Laws now come before Council for consideration. Paula Downs, Community Development Director, will be available for any questions.

Resolution Establishing Sidewalk Reimbursement Program FY2025 (Item H)

The City Council tabled this item in August so that staff could make revisions to the program. The revised program now comes before Council for consideration. Paula Downs will be present to answer any questions.

Ordinance and update Plan regarding Watering Restrictions (Items I-J)

Recently, the City of Wichita adopted watering restrictions that will affect Wichita's wholesale water customers, including Bel Aire. In order to bring Bel Aire's regulations in line with Wichita's ordinance, Maria has drafted an Ordinance for Bel Aire and made revisions to Bel Aire's Municipal Water Conservation Plan. The draft Ordinance and revised plan now come before City Council for consideration. Maria will be available for any questions.

Discussion And Future Issues – September Workshop (Item XIV)

The next workshop is scheduled for September 9, 2025 at 7:00 p.m.