

MANAGER'S REPORT

DATE: November 14, 2024
TO: Mayor Benage and City Council
FROM: Ted Henry, City Manager
RE: November 19, 2024 Agenda



Consent Agenda (Item VI)

Minutes of November 19, 2024 regular meeting.

Appointment of Brian Mackey to the Planning Commission – Mayor Benage would like to appoint Bel Aire resident Brian Mackey to the Planning Commission. If confirmed by the Council, Mr. Mackey's term will expire on December 1, 2027.

Appropriations Ordinance (Item VII)

This appropriation ordinance encompasses 11/13/2024 through 11/26/2024 expenses and one payroll cycle. Expenditures amounted to \$907,723.84. Of the reported expenses, \$364,673.09 are infrastructure costs for new developments. These costs are paid through special assessments.

Proclamation- Purple Heart City

The City of Bel Aire wishes to be designated as a 'Purple Heart City' to honor and remember military veterans who have been wounded or killed in combat. This proclamation serves as a tribute to those who have paid the ultimate price for their service, acknowledging their sacrifice and recognizing the significance of the Purple Heart as a symbol of bravery and commitment. Through this recognition, Bel Aire emphasizes its respect and gratitude for these veterans and their service to the country.

City Requested Appearances: Update and Presentation on Bel Aire's Sewer Monitoring Program by Rebecca Lewis, Burns & McDonnell

Since August 2023, the City of Bel Aire has been keeping track of conventional pollutants in its wastewater as part of a program aimed at managing and controlling pollutants in our wastewater. These pollutants are typically found in household wastewater and are what municipal plants are designed to remove. Because the wastewater plant's discharge affects Chisholm Creek, KDHE sets limits on these pollutants through Wastewater Discharge Permits (NPDES). If pollutant levels in the wastewater go up, it costs more for the plant to treat it. To help with cost-sharing between Bel Aire and Park City, the CCUA's service agreement requires using measurements of Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) to determine how much each city contributes to the pollutant load. Rebecca Lewis will be here to provide and update and report on our findings.

Resolution, WAM Investments, LLC.

In 2020, the City issued Industrial Revenue Bonds for a building to be constructed at 9000 E. 46th Street North by WAM Investments. The real estate description for the 2020 bonds included a vacant piece of land next to the building. WAM Investments is now constructing a second building next to 9000 E. 46th Street North and needs the City to release the title for the land on which the second building is being constructed. The IRB Lease allows WAM Investments to ask the City to release unimproved land from the 2020 bonds, so they can build a second building. Sarah Steele with Gilmore & Bell will be at the meeting to present this item and answer any questions.

Ordinance Authorizing IRBs, Bayside Development Project

On February 21, 2023, the City Council held a public hearing, adopted a Resolution and signed a Letter of Intent authorizing up to \$150,000,000 in Industrial Revenue Bonds for the development of land near 53rd Street North and Greenwich Road. The developer, Bayside Development, proposes building approximately eight (8) 125,000 square foot buildings for use as warehouse or manufacturing facilities to be completed by the end of 2032. The first building is now complete and Bayside Development would like to have the City issue IRBs in the principal amount of \$12,535,000 for the first building. Sarah Steele with Gilmore & Bell will be at the meeting to present this item and answer any questions.

Ordinance Annexing Roads

The Council tabled this item at their last meeting. No new information have been provided by Sedgwick County since the last meeting.

Eagle Lake Park Improvements Bids

The 2024 General Fund Budget allocated \$150,000 for playground and safety surface improvements at Eagle Lake Park. On November 18, 2024, staff issued a Request for Proposals (RFP) for the project. By November 22, 2024, four reputable vendors had submitted their proposals. On November 25, 2024, staff reviewed and evaluated each response, considering factors such as price, product quality, past experience, references, and delivery timelines.

Ordinance Approving Recommendation, PUD-24-07 Bristol Hollows Addition

On October 15th, the Council considered the Planning Commission's Recommendation for a similar case on the same property (PUD-24-03). Following the hearing, the Council voted to table the item. The applicant then withdrew PUD-24-03 in order to address some of the concerns that Council had expressed on October 15th. In November, the applicant submitted a new application for the same property to the Planning Commission. At their November 14th meeting, the Planning Commission considered the new application (PUD-24-07), held a public hearing on the matter, considered evidence, and then made a detailed Recommendation. The Recommendation references several proposed legal documents aimed at resolving identified problems. Since November 14th, the Developer and City staff have worked diligently together to draft these documents and they are included in the Council's agenda packet. For this item, the Council's agenda packet includes the following attachments:

1. Staff Report for 12/03/2024 City Council meeting

2. An Excerpt of Draft Meeting Minutes from the November 14 Planning Commission.
3. Draft documents for City Council's consideration on 12-03-2024:
 - a. Ordinance Approving The Recommendation Of The Bel Aire Planning Commission (PUD-24-07),
 - b. Residential Declaration of Covenants for Bristol Hollows Addition.
 - c. First Amendment to Bristol Hollows Development Agreement, and
 - d. Party Wall Agreement for Bristol Hollows Addition.
4. Documents from the November 14th Planning Commission meeting packet regarding PUD-24-07:
 - a. Staff Report for 11-14-24 Planning Commission meeting,
 - b. Hearing Notice for Nov 14 Planning Commission
 - c. PUD Review,
 - d. PUD Application,
 - e. Staff Report for 9-12-24,
 - f. Staff Report for 10-15-24,
 - g. Final Plat 12-03-2019,
 - h. Bristol Hollows Agreement,
 - i. Bristol Hollows Lot Split Plan 08-2024,
 - j. Property Owner List 08-2024,
 - k. New Address for PUD-24-07 from Philip Ruffo.

It is worth noting that, once the Planning Commission has made a Recommendation, state statute is prescriptive regarding the actions that may be taken by the Governing Body. In the "Action" language in the Council's agenda, City Attorney Maria Schrock has listed these options.

Update/Edit Page 20 of the Personnel Policy

In preparation for the transition to a new ERP system, several changes were made to the personnel policy in July 2024. One of the smaller changes involved adjusting the Police Department's hourly staff pay schedule from a 40-hour pay period to an 80-hour pay period (Page 20, Section C). Since then, staff have found that a more straightforward, across-the-board approach is more effective, and they would like to revert the policy to its previous structure.

Executive Session (Item XIII)

Staff is requesting one executive session.

Discussion And Future Issues: Improvements Along K-254

Earlier this year, KDOT announced that they would include an overpass at K-254 and Rock Road, as well as an interchange at K-254 and Webb Road, in their development plans. I would like to discuss ways we can best capitalize on this opportunity.