



MANAGERS REPORT

DATE: April 28, 2022
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: May 3, 2022 Agenda

Proclamations (Item V):

Older Americans Month (OAM) - Since 1963, OAM has been a time to celebrate older Americans, their stories, and their contributions. Led by the Administration for Community Living (ACL), the annual observance offers a special opportunity to learn about, support, and recognize our nation's older citizens.

Public Service Recognition Week (PSRW) - Celebrated the first week of May since 1985 (beginning on the first Sunday of the month), Public Service Recognition Week (PSRW) is organized annually by the Partnership for Public Service and its member organizations to honor the men and women who serve our nation as federal, state, county and city government employees.

Consent Agenda (Item VII)

Contains only the minutes of the April 19th City Council meeting.

Appropriations Ordinance (Item VIII)

This period includes two payroll batches and purchase of the Rotary Mower from Schmidt and Sons in the amount of \$17,400.

City Requested Appearances (IX)

There are none for this meeting.

Planning Commission Reappointments (Items A-B)

Paul Matzek was temporarily appointed to the Planning Commission earlier this year. Two seats on the Planning Commission are reserved for people like Paul who live within a narrow area bordering Bel Aire, but

outside of any City limits. These seats have been difficult to fill in the past. Mayor Benage has asked Paul if he would like to be reappointed to this seat and Paul said yes. The term will be for three years, meaning it will expire June 1, 2025.

James Schmidt has served as the Chairman of the Bel Aire Planning Commission for several years now. Mayor Benage asked James if he would like to continue to serve on the commission and he said yes. The term will be for three years, expiring on June 1, 2025.



2022 Municipal Water Conservation Plan (Item C)

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. Staff works with the Utility Advisory Committee each year to review the plan and see if any changes need to take place. The UAC reviewed the plan and worked with Anne on the updated version in your packet.

Zoning Ordinance, Planned Unit Development – Industrial (Item D)

On April 14th, Planning Commission reviewed the City of Bel Aire Land Bank's request to rezone property located about a quarter mile east of Rock Road and K-254 Highway. A public hearing was also conducted during this meeting allowing interested parties the opportunity to be heard. No interested parties, other than the agent for the applicant, showed up to speak. Following the public hearing, Planning Commission considered the evidence and discussed the zoning request in relation to the Bel Aire Zoning Code and the 'golden factors' for zoning decisions. This property is close to the proposed K-254 interchange, at the edge of the urban area. Commissioners noted that if the re-zoning is granted, the PUD will still need to be approved before it can be platted. Through the PUD process, Planning Commission can request a buffer between the residential area and this property. Having thoroughly reviewed the issue Planning Commission voted (by passing a 5-0 motion) to recommend rezoning of the property from AG Agricultural to M-1 Planned Unit Development– Industrial District. The Ordinance to rezone the property now comes before Council for consideration. A Rollcall vote including Mayor will be required as this is a zoning matter.



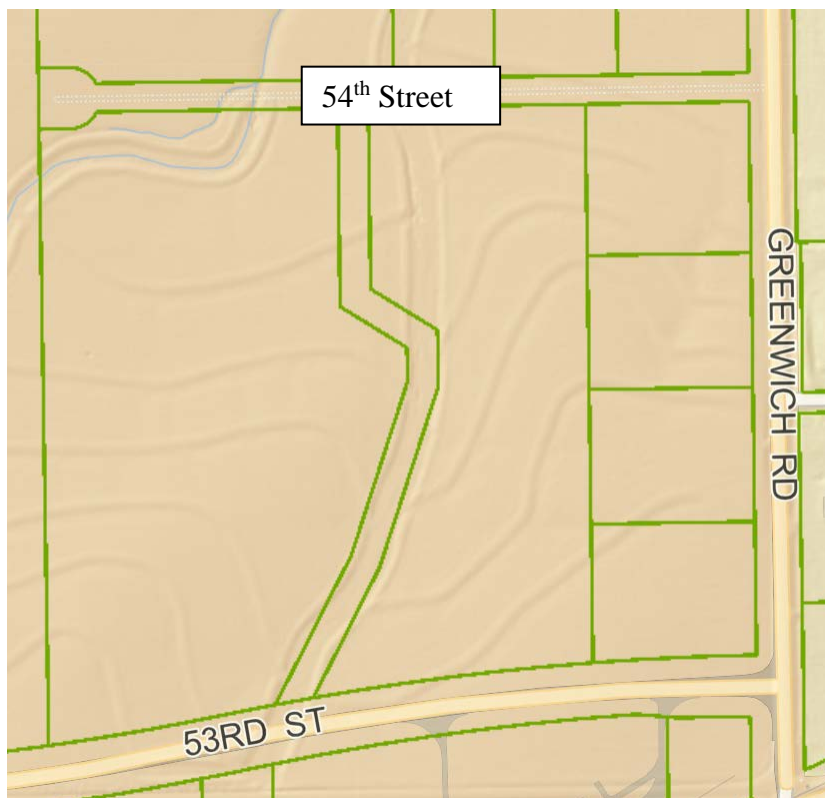
Zoning Ordinance, Elk Creek 3rd (Item E)

The Planning Commission conducted a public hearing for this rezoning request at their April 14th meeting. Interested parties were given the opportunity to be heard at the public hearing. One area resident attended and asked questions about the proposed development. The resident was also concerned about the north property line near the pond and how the maintenance of the entryway along Elk Creek Drive would be handled. City staff present at the meeting asked for additional time to look into the concerns. The agent for the applicant was given an opportunity to speak but declined to add any additional information unless the Commissioners had questions. Following the public hearing, Planning Commission considered the evidence and discussed the zoning request in relation to the Bel Aire Code and the ‘golden factors’ for zoning decisions. The property is currently zoned as C-1 Commercial. The Commissioners felt that this property would be better suited for residential use as the surrounding property is residential. Having thoroughly reviewed the issue Planning Commission voted (by passing a 5-0 motion) to recommend the request to rezoning the property from C-1 Commercial to R-5b Zero Lot Line Residential. The zoning Ordinance now comes before Council for consideration. Again, a rollcall vote including Mayor will be required for this item.



Order Vacating A Portion of Right-of-Way on 54th Street (Item F)

At their April 14th meeting, the Planning Commission reviewed the City of Bel Aire Land Bank's request to vacate the 54th Street Right-of-Way as currently platted in Sunflower Commerce Park 2nd. At that meeting, the Planning Commission conducted a public hearing where interested parties were given the opportunity to be heard. No interested parties, other than the agent for the applicant, attended. City Engineer, Anne Stephens explained that this property was originally platted by the City as a precursor to selling lots. A different party has now purchased the entire property and has a different vision for how they would like it platted. They have requested that the City vacate the platted right-of-way so they can pursue their vision for the property. Following the public hearing, Planning Commission considered the evidence and discussed the proposed vacation. Having thoroughly reviewed the issue, Planning Commission voted (by passing a 5-0 motion) to recommend that Council approve the request to vacate the Right-of Way as presented. The Order of Vacation now comes before Council for consideration. Just like the previous items, a rollcall vote including the Mayor will be necessary.



Change Order for Sidewalks in Skyview at Block 49 (Item G)

When sidewalks are needed in new neighborhoods, Developers typically have two approaches to choose from and each has benefits and drawbacks. The first approach is to build the sidewalk at the beginning during the paving phase. The second approach is to build the sidewalk as each house is built. In the Skyview addition, the Developer chose to install sidewalks during the street paving phase. This approach ensures that there will be continuous sidewalks throughout the development, without any gaps that might otherwise occur, as lots sometimes take several years to fill in. However, the drawback is that sidewalks often crack during home construction and then must be replaced by the Developer at an added cost. The Developer for Skyview at Block 49 has asked to have the sidewalk modified from 5 inches in depth to 6 inches to protect against construction-related damage. The additional costs associated with this change order will ultimately be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends that Council accept Change Order No. 3 for \$15,771.60.

Change Order for Rock Spring 3rd, Phase 2 Paving (Item H)

The Rock Spring 3rd, Phase 2 paving project has been completed. A final change order is needed and is included in your packet. This reconciliation of plan quantities includes two items where more materials (quantities) were

installed in the field than was shown on the original bid tab. The majority is from additional curbing and pavement that was installed at the end of Chris Street where it will tie into Rock Spring 4th. The costs associated with this change order will ultimately be financed through a bond and spread as special assessments against the benefitting lots. Staff recommends that Council accept Change Order No. 2 for \$10,510.00.

Reappointment of City Officials (Items I-K)

Bel Aire codes state that the City Manager, City Attorney, and Municipal Court Judge must be reappointed annually in May.



IRB Resolution for Catholic Care Center Improvements (Item L):

The Catholic Care Center is making some improvements to their facilities in Bel Aire. Since Catholic Care operates as a non-profit, they do not pay property taxes or sales taxes. However, utilizing an IRB does have additional benefits they would like to utilize. That being federal income tax-exempt interest rates, which are available to 501c(3) organizations, as long as there is local government issuer of municipal bonds. As with All IRB's, the city is not liable for the debt nor does it appear on the city's financial statements. The city is merely acting as a conduit for the company and they are responsible for placing the debt. From the city's perspective, we do charge fees to help offset cost involved from our side. Currently, I am still negotiating those fees but they will be ready for inclusion in the resolution on Tuesday night.

Appointment of Emily Hamburg (Item M)

Council Member Joel Schroeder resigned his seat on April 1, 2022. Mayor Benage requested interest parties to submit a letter of interest and resume to him by May 1. Following the Council Vacancy Policy, Mayor Benage shared the applicants and asked for input from Council members. He has selected Emily Hamburg to fill the vacant seat. This seat will be up for a new term in November of 2023.



May Workshop (Item XIV):

Our regularly scheduled day is May 10th at 6:30 p.m. PEC will be at the workshop to present their road inventory and rating system for the city.