

MANAGERS REPORT

DATE: August 10, 2023
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: August 15, 2023 Agenda



Consent Agenda (Item IV)

The Consent Agenda contains only the minutes of the August 1st regular City Council meeting.

AP Ordinance (Item VII)

This reporting period includes one payroll. Key Equipment was issued a check of \$305,825 for the 2017 Vactor truck. Utility Maintenance installed 20 service lines at a cost of \$48,400 and Public Works spent \$48,200 on new meters. Also made payments to consulting engineers PEC and Burns & McDonnell totaling \$55,600. The remaining large expenses were for Wichita water, trash service, bond payments and CCUA.

Project Exemption Certificate for Homestead Senior Residences (Item A)

As part of the development process, IRB projects are issued a sales tax exemption certificate. Homestead Senior Residences was issued a sales tax exemption when its IRB was issued in 2022. However, construction is not complete and their tax exemption certificate is about to expire. The developer anticipates being fully complete on this phase by January 31, 2024. Homestead Senior Residences Bel Aire, LLC has requested an extension of the sales tax exemption from 8/31/2023 to 1/31/2024. In order to authorize the extension, the Kansas Department of Revenue requests consent by the City of Bel Aire which requires approval of the extension by City Council.

Supplemental No 2, Master Water & Sewer Plan (Item B)

At the September 6, 2022 Governing Body meeting, council accepted the proposal from PEC to complete a master plan study of the current water and waster water systems for Bel Aire. The following quotes were received with PEC being the lowest.

PEC	\$134,000.00
Garver	\$211,117.00
Burns & McDonnell	\$236,700.0)

The intent of the study was to determine needed upgrades to water and sewer to address future growth and deficiencies. In February of 2023, Integra selected Bel Aire for its new facility which would potentially double the city's uses for water and sewer. Additional businesses and suppliers could increase those numbers two - three-fold. As a result, Bel Aire contracted with PEC to identify options for servicing the needs of Integra, suppliers as well as future growth. That additional work increased the study by \$48,500 to \$182,500. The third phase is to create a more detailed price for each option, help council determine the best options for each scenario, negotiate with various parties and then offer options to fund those improvements. The cost of the study will increase by \$39,000 to a total of \$221,500. That is just \$10,000 more for the initial study by the next lowest quote. Staff recommends approval as this supplemental agreement that will give us much needed information to meet future growth, with or without Integra.

Change Order No 2, Cedar Pass (Item C)

As Nowak was working on expanding the pond, they encountered considerably more pond muck than was originally anticipated during the bidding of the project. The removal of this muck required dewatering services as well as additional excavation and an expanded pond liner to maintain the integrity of the pond following construction. This change order represents the additional work required to construct the pond as intended. The additional costs associated with this change order will be included in the contract costs for the storm water drainage project and will be financed through a bond and spread as special assessments against the benefiting lots. Staff recommends that the City Council accept Change Order No. 2 for \$62,492.54.

Pedestrian Push Button Change Order, Woodlawn (Item D)

Due to challenges with utilities in the intersection of 45th and Woodlawn, the signal poles needed to be adjusted to avoid conflicts with utilities. Adjusting the poles caused the crosswalk push buttons to be located out of the desired area from the Americans with Disabilities Act Guidelines (ADAAG), therefore adjustments needed to be made. In some areas, the adjustments are able to be made with extendable arms, but others were too far away and needed separate pedestrian push button poles (ped poles). The cost for this change order is \$22,127.70. The additional cost associated with this Change Order will be included in the bonds and paid for out of the general fund. This Change Order will increase the total annual debt service payment by \$1,950.

Notice of Hearing for 2023 Budget (Item E)

The 2024 proposed budget is in compliance with State law and has been discussed at the past three workshops. To comply with new state law, the city must notify the County Clerk that the city will exceed the revenue neutral rate and will be holding a public hearing and passing a resolution at the September 5, 2023 meeting. To comply with the standard state law, the city will also hold a public hearing on the overall budget at the September 5, 2023.

Charter Ordinance for Official Newspaper (Item F)

Kansas Statutes require certain documents be published in an official city newspaper. The Ark Valley News was designated as Bel Aire's official city newspaper many years ago. Ordinances, charter ordinances, IRB documents, budgets, hearings, etc. are all types of notices that require publication. The city has spent \$4,000 to date for publications, \$8,000 in 2021 and \$10,000 in 2022. On July 26, 2023, the Kansas Attorney General issued Opinion 2023-5 that states cities of the second and third class may utilize home rule to exempt themselves out of designating a print newspaper as its official city newspaper and instead designate the city website as its official city newspaper. There are other benefits in doing this outside of the cost savings. One is publications can be made every day instead of waiting for the Ark Valley News to be published weekly. Second, citizens must pay to subscribe to the Ark Valley News in order to see those legal publications. Everyone has free access to the city's website. This item was discussed at the August workshop and staff was instructed to add this to the agenda for consideration. The Charter Ordinance must first be approved which allows for a 60-day protest period. If no protest is filed per state statutes, a resolution will then be considered designating the city website as the official city newspaper.

Bob Bergkamp Construction Proposal (Item G):

Scott Bergkamp met with staff to discuss the possibility of returning 53rd Street from Oliver to Woodlawn back to gravel so it can be reopened. His company has a couple weeks of down time and can complete this project at a cost not to exceed \$33,000 within the next couple of weeks. Garver attended the meeting and determined the removal of the current cold mix needs done and the price being quoted is a good deal as it will reduce the construction costs for 53rd Street. Staff recommends accepting the proposal.

Executive Session (XII)

Staff have no need for an executive session at this time.