



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
April 04, 2023 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage

II. ROLL CALL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Justin Smith ____ John Welch ____

III. OPENING PRAYER: Mark Posson

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. PROCLAMATION

A. Arbor Day - April 29, 2023

VI. DETERMINE AGENDA ADDITIONS

VII. CONSENT AGENDA

A. Minutes of the March 21, 2023 City Council meeting.

Action: Motion to (approve / table / deny) the Consent Agenda as (listed / amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 23-06 in the amount of \$1,300,914.49.

Action: Motion to (approve / deny / table) Appropriations Ordinance No. 23-06.

Motion _____ Second _____ Vote _____

IX. CITY REQUESTED APPEARANCES

A. Chairperson Rebecca Armstrong, Tree Board

B. Woodlawn Update - Pat Herman, Garver

C. 45th Street Design Update - Ken Lee, Garver

X. CITIZEN CONCERNS: *If you wish to speak, please fill out a "Request to Speak" card at the podium and give it to the City Clerk before the meeting begins. When you are called on by the Mayor, please go to the podium, speak into the microphone, and state your name and address before giving your comments. Please limit your comments to 3 minutes in the interest of time. If more time is needed, you may request an extension from the Mayor.*

XI. REPORTS

A. Council Member Reports

B. Mayor's Report

C. City Attorney Report

D. City Manager Report

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. **Consideration of accepting the Amendment to the Engineering Agreement with PEC for the Water and Sanitary Sewer Master Plans.**

Action: Motion to (accept / deny / table) the Amendment to the Engineering Agreement with PEC for the Water and Sanitary Sewer Master Plans in the amount of \$48,500.00 and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

XIII. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussing the subject of: Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. Invite the City Manager, Interim City Attorney, Brian Meier and Ken Lee. The meeting will be for a period of (____) minutes, and the open meeting will resume in City Council Chambers at (_____) p.m.

Motion _____ Second _____ Vote _____

XIV. DISCUSSION AND FUTURE ISSUES

A. Monthly Workshop – April 11, 2023 at 6:30 pm?

B. Council meeting schedule – July 4th conflict?

XV. ADJOURNMENT

Action: Motion to adjourn.

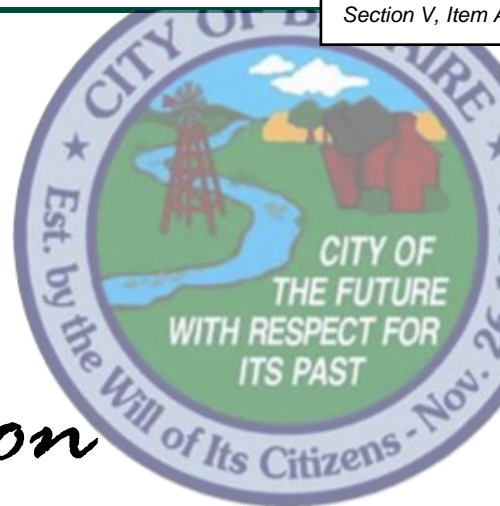
Motion _____ Second _____ Vote _____

Additional Attachments

A. **Manager's Report - April 4, 2023**

Notice

It is possible that sometime between 6:30 and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Video of this meeting can be streamed on YouTube and at www.belaireks.gov. Please make sure all cell phones and other electronics are turned off and put away.



Proclamation

ARBOR DAY 2023

TO THE CITIZENS OF BEL AIRE, KANSAS, GREETINGS:

WHEREAS, in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, *and*

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; *and*

WHEREAS, Arbor Day is now observed throughout the nation and the world; *and*

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, *and*

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, *and*

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, *and*

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

THEREFORE, I Jim Benage, Mayor, do hereby proclaim April 29th as **Arbor Day** in the City of Bel Aire and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, *and*

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of Bel Aire, Kansas this 4th day of April, 2023.

Jim Benage, Mayor



MINUTES

CITY COUNCIL MEETING

7651 E. Central Park Ave, Bel Aire, KS
March 21, 2023 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present were Greg Davied, Tyler Dehn, Emily Hamburg, and John Welch. Justin Smith attended via video conference.

Also present were City Manager Ty Lasher, Interim City Attorney Jennifer Hill, City Engineer Anne Stephens, Public Works Director Marty McGee, Community Development Director Jay Cook, and City Clerk Melissa Krehbiel.

III. OPENING PRAYER: Father Terry Hedrick provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS: There were no additions.

VI. CONSENT AGENDA

- A. Minutes of the March 7, 2023 City Council special meeting.
- B. Minutes of the March 7, 2023 City Council regular meeting.
- C. Municipal Water Conservation Plan 2023
- D. Appointment of Jennifer Hill as Interim City Attorney for the City of Bel Aire.
- E. Confirm the Mayor's reappointment of Rebecca Armstrong to the Bel Aire Tree Board. Her new term will expire on April 16, 2025.

MOTION: Councilmember Welch to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

- A. Consideration of Appropriations Ordinance 23-05 in the amount of \$1,127,770.46.

MOTION: Councilmember Davied moved to approve Appropriations Ordinance 23-05. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES: None.

IX. CITIZEN CONCERNS

David Landoll, 4743 N Krueger Street, spoke about his concerns about street and drainage conditions in his neighborhood, along Oliver.

X. REPORTS

A. Council Member Reports

Councilmember Hamburg noted that residents are receiving their yearly property tax appraisals in the mail. If residents feel their property has been improperly appraised they may call the phone number on the back of the notice to file an appeal with the County. She reminded residents that Spring Fest is on April 1st this year.

Councilmember Dehn briefly reported on the most recent meeting of the Sedgwick County Association of Cities (SCAC). He also met with the Director of the Wichita Area Municipal Planning Organization (WAMPO) regarding the best contacts locally and at the State level to advocate for transportation infrastructure investment in Bel Aire.

B. Mayor's Report

Mayor Benage reported he met with Senator Marshall on March 10th regarding support for the Integra CHIPS project and toured a couple of Bel Aire businesses, Empire Wall and Wickham Glass. On March 13th he attended an announcement given by the Director of the ATF at the Law Enforcement Training Center at Wichita State University (WSU). The ATF will build a Crime Gun Intelligence Lab at WSU. He attended the most recent meetings of SCAC and the WAMPO Policy Board. He also attended Garver's Montana breakfast on March 16th. He noted that in early April work will begin on K-254 from Hydraulic to the Butler County line.

C. City Attorney Report – No report was given.

D. City Manager Report

City Manager Lasher reported that the City was recently granted some benches made from recycled waste tire materials through a grant from the State. Also, a survey regarding parks is available on the City's website for citizens to give their input.

XI. ORDINANCES, RESOLUTIONS AND FINAL MOTIONS

A. Consideration of a Fireworks Sales Permit by Bellino Fireworks, Inc. to be located at 4552 N Woodlawn pending Sedgwick County Fire Marshall inspection (Bel Aire Lions Club).

MOTION: Councilmember Hamburg moved to table Item A. Councilmember Welch seconded the motion. *Motion carried 5-0.*

B. Consideration of A Consent To and Agreement For Annexation for a parcel located on the South Side of 53rd Street (Kilgore property).

MOTION: Councilmember Welch moved to accept the Consent To and Agreement For Annexation for the Kilgore property and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

C. Consideration of An Ordinance Annexing And Incorporating the Kilgore Property Into The Boundaries Of The City Of Bel Aire, Kansas.

MOTION: Councilmember Welch moved to approve the annexation of Portions Of Section 24-26-1E (the Kilgore Property) Into The Boundaries Of The City Of Bel Aire, Kansas, and authorize the Mayor to sign. Councilmember Davied seconded the motion.

Roll Call Vote:

Greg Davied – Aye	Tyler Dehn– Aye	Emily Hamburg– Aye
Justin Smith – Aye	John Welch– Aye	

Motion carried 5-0.

D. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Skyview At Block 49 4th Addition.

MOTION: Councilmember Welch moved to accept the dedications within the Final Plat for Skyview At Block 49 4th Addition and authorize all required signatures. Councilmember Hamburg seconded the motion.

Roll Call Vote:

Greg Davied – Aye	Tyler Dehn– Aye	Emily Hamburg– Aye
Justin Smith – Aye	John Welch– Aye	Jim Benage – Aye

Motion carried 6-0.

E. Consideration of accepting a quote for development of a new Comprehensive Development Plan. Quotes were received from three companies:

<u>Contractor</u>	<u>Amount</u>	<u>Timeframe</u>
Multistudio	\$39,815	May 1-November 30
PEC	\$53,000	April 1-September 30
RDG	\$125,000	Fall 2023-Summer 2024

MOTION: Councilmember Hamburg moved to accept the quote from PEC in the amount not to exceed \$53,000 and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

F. Consideration of a bid for sewer point repairs at various locations in Bel Aire. Five bids were solicited with one bid being submitted by Utility Maintenance Contractors in the amount of \$118,475.00.

MOTION: Councilmember Dehn moved to accept the bid from Utility Maintenance Contractors in the amount not to exceed \$118,475.00 for sewer point repairs and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

G. Consideration of a bid for replacement of the water main on Hanover between Auburn and Kenawee. Five bids were solicited with two being returned:

<u>Contractor</u>	<u>Total Bid</u>
UMC	\$238,315.00
McCullough	\$211,300.00

Councilmembers discussed the advantages of completing the project as soon as possible, due to the current condition of the water main. UMC will be able to complete the project sooner than the other bidder.

MOTION: Councilmember Davied moved to accept the bid from UMC in the amount not to exceed 238,315.00 for replacement of the water main by July 31st, 2023 on Hanover between Auburn and Kenawee and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

H. Consideration of a Municipal Court Service Provider Agreement with Shawn P. Lautz of Lautz Law, LLC.

MOTION: Councilmember Welch moved to approve the Municipal Court Service Provider Agreement with Shawn P. Lautz of Lautz Law, LLC and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

XII. EXECUTIVE SESSION

MOTION: Councilmember Welch moved to go into executive session for the sole purpose of discussing the subject of: Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. Invite the City Manager, Interim City Attorney and Ken Lee. The meeting will be for a period of 30 minutes, and the open meeting will resume in City Council Chambers at 8:30 p.m. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

The Council then held an executive session. At 8:33 p.m., Mayor Benage called the meeting back to order in open session. He stated that no binding action had been taken.

MOTION: Councilmember Welch moved to extend the executive session for 15 minutes, resuming at 8:50 p.m. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

The Council returned to executive session. At 8:55 p.m., Mayor Benage called the meeting back to order in open session. He stated that no binding action had been taken.

XIII. DISCUSSION AND FUTURE ISSUES

The council briefly discussed having City staff or City consultants (like Garver) attend meetings of the Aurora Park Gravel Roads Task Force. There was consensus that the Task Force should first provide specific recommendations to City staff.

XIV. ADJOURNMENT

MOTION: Councilmember Davied moved to adjourn. Councilmember Welch seconded the motion. *Motion carried 5-0.*

The meeting adjourned at 9:01 p.m.

CITY OF BEL AIRE		
AP ORD 23-06		
Vendor and Payroll Checks 03/10-03/26/23		
ADOBE	ADOBE SUBSCRIPTION:FOXX	\$ 220.10
AIA KANSAS INC	AIA KS LIC/TRAINING:PRICE	\$ 154.79
ARK VALLEY NEWS	BREEZE AD;LEGAL PUBLICATIONS	\$ 1,090.08
ASCE WICHITA	ASCE MEETING:STEPHENS	\$ 11.00
BANK OF NEW YORK	CCUA 03/23 O&M/DEBT SVC	\$ 180,951.81
BARDAVON HEALTH INNOVATIO	PRE-EMPLOYMENT SCREENING	\$ 110.00
BAUGHMAN COMPANY, P.A.	HOMESTEAD WATER MAIN EXTENSION	\$ 19,800.00
BEALL & MITCHELL, LLC	03/23 JUDGE TERRY BEALL	\$ 1,237.98
BLUE CROSS AND BLUE SHIEL	04/23 ID:0421210	\$ 54,034.91
BRADY	CH:JANITORIAL SUPPLIES	\$ 469.15
CHARLIES CAR WASH LLC	FLEET CAR WASH	\$ 100.00
CITY BITES SUBS	MEETING MEAL	\$ 53.35
COUNTRYSIDE LAWN & TREE C	SPRING FERTILIZER-ALL LOCATIONS	\$ 3,765.00
COX COMMUNICATION:WATER T	I.T.BACKUP:WATER TOWER	\$ 154.95
COX COMMUNICATIONS:CH	INTERNET/PHONE SVC	\$ 863.15
COX COMMUNICATIONS:PBWRKS	INTERNET/PHONE SVC	\$ 320.43
COX COMMUNICATIONS:REC	INTERNET/PHONE SVC	\$ 194.64
CRAFCO	MASTIC/COLD PATCH	\$ 5,408.00
CREATIVE AWARDS & SCREEN	PLAQUES:KELLY,LEIKER, XMAS AWARDS	\$ 229.78
CULLIGAN OF WICHITA	WATER SERVICE	\$ 43.75
DIGITAL OFFICE SYSTEMS	PD COPIER CONTRACT	\$ 103.37
DILLONS	SUPER BOWL PRIZES	\$ 18.47
EMC INSURANCE COMPANIES	ADDITION OF LIFT STATION	\$ 70.00
EMPAC	EMPLOYEE ASSIST PROG:QTR #2	\$ 345.00
EMPOWER RETIREMENT 457	EMP VLNTRY 457	\$ 592.00
EVERGY - STREET LIGHTS	ELEC SVC:STREET LIGHTING	\$ 7,628.90
EZCATER	PROF DEV DAY MEALS	\$ 221.14
FBI-NAA	FBI-NAA CONFERENCE:ATTEBERRY	\$ 715.00
FICA/FEDERAL W/H	FED/FICA TAX	\$ 23,823.35
FIRESTONE	PD FLEET MAINTENANCE	\$ 2,134.50
GALAXIE BUSINESS EQUIPMEN	OFFICE FURNITURE	\$ 4,441.50
GALLS, LLC	PD UNIFORMS/SUPPLIES	\$ 151.50
GARVER	ENGINEERING SVCS-PROJECTS	\$ 42,214.92
GOVERNMENT FINANCE OFF	GFOA MEMBERSHIP:APPEL	\$ 150.00
GREAT WALL 88	PROF DEV DAY MEALS	\$ 302.65
HARBOR FREIGHT TOOLS882	TOOLS	\$ 49.99
HAWKS INTER-STATE PESTMAS	03/23:PEST CONTROL:REC	\$ 174.52
IMAGINE IT, INC	OFFICE 365 APR'23, PW MIGRATION	\$ 12,029.56
INDEED	PD JOB ADVERTISING	\$ 100.00
INTERLINGUAL INTERPRETING	COURT INTERPRETER 02/01/23	\$ 40.00
JASONS DELI	SR COMMITTEE MEALS	\$ 74.13
JOHNSON CONTROLS	FIRE ALARM MONITORING:CH	\$ 787.76
KANSAS FOREST SERVICE	NORTHWALL,YOPS,MCCOMBS:MTG	\$ 60.00

KANSAS PAVING	PAVEMENT-CURBING REPAIRS PYT 1	\$ 729,176.93
KANSAS RECREATION AND PAR	CPRP TRAINING-SHERWOOD	\$ 300.00
KANSAS RURAL WATER ASN	KRWA CONF:STEPHENS	\$ 225.00
KANSAS TURNPIKE AUTHORIT	TOLLS	\$ 30.90
KANSASLAND TIRE # 9584	BACKHOE TIRES x2	\$ 1,606.76
KANZA CO-OPERATIVE ASSOC	CH GENERATOR FUEL	\$ 665.38
KS DEPT REV:WITHHOLDING T	STATE TAX	\$ 4,106.07
KS DEPT REVENUE:SALES TAX	02/23 SALES TAX	\$ 584.03
KS GAS - MAINT SHOP: 4103	GAS SVC:MAINT SHOP	\$ 942.28
KS GAS - PUMPHOUSE: 4105	GAS SVC:PUMPHOUSE	\$ 175.02
KS GAS - REC	GAS SVC:REC	\$ 748.33
KS GAS-CH	GAS SVC:CH	\$ 851.92
KS GAS-POOL	GAS SVC:POOL	\$ 292.10
KS PUBLIC EMPL RETIRE SYS	KPERS TIER 3	\$ 15,816.75
KS SOCIETY PROF ENGINEER	WATER QUALITY CONF:STEPHENS	\$ 90.00
LASERFICHE	LASERFICHE CONF:FONSECA & APPEL	\$ 699.00
LAUTZ LAW LLC	CRT APPTD DEFENSE ATTY	\$ 529.60
LOGO DEPOT	FINANCE, UB, COURT APPAREL	\$ 1,218.40
LOGOMATCENTRAL.COM	CUSTOM RUGS	\$ 371.45
LOREX CORPORATION A DIVI	SECURITY CAMERAS-PD/REC	\$ 270.75
MAXIMUM OUTDOOR EQUIPM	PW BLOWERS MAINT x2	\$ 318.95
MCCULLOUGH EXCAVATION	SKYVIEW BLOCK49:2ND ADD	\$ 61,993.82
MCDONALD TINKER PA	LEGAL:NEW CCUA AGREEMENT	\$ 4,459.00
NATIONAL SIGN COMPANY, IN	SIGNS, MATERIALS/SUPPLIES	\$ 716.84
NEEC	2023 CERT MEMBERSHIP:PRICE	\$ 75.00
PAYLOCITY	FSA EMPLOYEE EXPENSE	\$ 2,464.60
PEC	ANNUAL BRIDGE INSPECTION	\$ 1,000.00
PITNEY BOWES PURCHASE POW	MONTHLY POSTAGE	\$ 1,000.00
PIZZA HUT 029874	INTEGRA MTG	\$ 29.78
POSTMASTER	03/23 POSTAGE:UTILITY BILLS	\$ 900.93
PUBLIC WORKS & UTILITIES	BULK SEWER 2,250 GAL	\$ 7.54
PV BUSINESS SOLUTIONS	PW:OSHA COMPLAINEE MANUAL	\$ 298.50
PYE-BARKER FIRE & SAFETY	REC FIRE ALARM INSPECTION	\$ 205.00
QUILL CORP	OFFICE SUPPLIES	\$ 1,182.05
SAMS CLUB	BREAK ROOM SUPPLIES	\$ 281.67
SEDG CO DEPT FINANCE/JAIL	02/23 PRISONER HOUSING FEES	\$ 394.85
SHERATON OVERLAND PARK	KRPA CONF:SHERWOOD.CHRISTENSON	\$ 562.44
SIGNS NOW 124	PARK SURVEY SIGNSx6	\$ 331.74
SIMPLE CLEAN	04/23 JANITORIAL SVC:CH	\$ 2,824.60
SUMNERONE	COPIER TONER	\$ 184.00
SUN LIFE FINANCIAL - VOLU	04/23 VOLUNTARY LIFE PYMNT	\$ 617.78
SURENCY	03/23VISION INSURANCE	\$ 534.20
THATS GREAT NEWS	INTEGRA ARTICLES MOUNTED	\$ 1,105.44
THE HOME DEPOT #2204	REC PAINTING SUPPLIES	\$ 47.97
TRIPLE C CONCRETE, LLC	PRESTWICK NEAR VILLAS	\$ 1,275.00
TSYS MERCHANT SOLUTIONS	CREDIT CARD PROCESSING FEES	\$ 3,509.26
USA BLUE BOOK	CHLORINE REGEANTS	\$ 240.66

USPS PO 1946750085	MAIL WATER SAMPLES	\$ 13.05
UTILITY MAINTENANCE CONTR	39TH/HARDING WATER SVC INSTALL	\$ 3,500.00
WALLACE ASSOCIATES LLC	EMPLOYEE WELLNESS	\$ 500.00
WALMART	COUNCIL SNACKS/DRINKS	\$ 374.53
WEX BANK	FLEET FUEL	\$ 2,693.82
WICHITA BAR ASSOCIATION	BAR ASSOCIATION:J KELLY	\$ 50.00
WICHITA WINWATER WORKS	WATER SVC MAINTENANCE SUPPLIES	\$ 4,764.70
WILLIAMS JANITORIAL SUPPL	REC:JANITORIAL SUPPLIES	\$ 130.01
WRIST-BAND CUSTOMLANY	PD:LANYARDS X275	\$ 494.87
PAYROLL CHECKS	PAYROLL CHECKS ON 03/15/2023	\$ 76,586.16
	CLAIMS TOTAL	\$ 1,300,914.49



MAR 27 2023

City of Bel Aire, Kansas



STAFF REPORT

DATE: March 28, 2023
TO: Ty Lasher, City Manager
FROM: Anne Stephens, City Engineer
RE: Amendment to PEC Water/Sewer Master Plan Agreement

Proposal Focus:

Our Mission

- Attractive growth and safe living – Encourage attractive neighborhoods and new developments.

Our Values

- Working Together – Departments working together as one team. Staff working with residents, HOA's and neighborhoods. Citizens working with each other.

Current Situation:

With the potential for Integra coming to Bel Aire, we have asked PEC to assist us in beginning to develop alternatives for water and sanitary sewer connections, supply and treatment.

Goals:

- To work with the Developer to grow the City in an attractive, safe manner that is consistent with City standards.

Discussion:

The Integra project and it's associated suppliers has the potential to drastically increase the amount of potable water needed by the City and the amount of sanitary sewer treated by the City. After looking into our current usage for both water and sewer and the available supply and treatment capacities, it is clear that we are going to need to significantly increase both our available water supply and sewage treatment capacity in order to serve Integra. The current agreement for the water and sewer master plans include a look at what it will take to provide service to the entirety of Bel Aire, but adding the new demands takes this to an entirely different level. This addendum to the PEC agreement will allow them to consider the additional capacity required with the Integra and associated supplier expansion and start looking into options for service on both the water and sanitary sewer sides. It will include preliminary discussions with potential suppliers (El Dorado, City of Wichita and CCUA (additional water rights likely needed) for water usage and reviewing CCUA and the City of Wichita for potential sanitary sewer treatment options. This phase would be only for the preliminary discussions and to decide which alternatives are the most feasible for proceeding with further evaluation.

Financials:

The costs associated with addendum will be split between the water and sewer funds.

Recommendation:

Staff recommends that the City Council accept the Amendment to the Agreements for Professional Services from PEC in the amount of \$48,500.00.

March 30, 2023

Ty Lasher
 City Manager
 7651 E. Central Park
 Bel Aire, Kansas 67226

Reference: Project Name: Bel Aire Water/Wastewater Supply and Treatment Master Plan
 Supplemental Agreement No: 1
 Original Contract Date: September 7, 2022
 PEC Project No. 35-230255-000-2564

Dear Mr. Lasher:

This Supplemental Agreement between the Client and Professional Engineering Consultants, P.A. (PEC), modifies the above referenced Agreement, and any other previous Supplemental Agreements as may be noted herein.

A. Modification of Scope:

1. See attached Exhibit A.

B. Time of Performance:

1. PEC proposes to complete the Scope of Services within 70 calendar days following receipt of an executed copy of this agreement exclusive of any delays beyond the control of PEC.

C. Payment Provisions:

- | | |
|---|----------------------------|
| 1. Original Contract Amount on a lump sum basis: | \$134,000.00 |
| 2. Net change by previous Supplemental Agreement(s): | \$ 00.00 |
| 3. The contract amount will increase by this Supplemental Agreement on a not-to-exceed standard hourly basis: | \$ 48,500.00 |
| 4. The new contract amount including this Supplemental Agreement: | <u>\$182,500.00</u> |

D. Authorization to Proceed:

1. Return receipt of this executed Supplemental Agreement will be considered our authorization to proceed.

Sincerely,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

Ryan W. Glessner, P.E.
 VP Civil Municipal and W/WW Engineering

KEZ:cds

ACCEPTED:

CITY OF BEL AIRE

By: _____

Title: _____

Date: _____

EXHIBIT A

A. Project Description.

1. Project Description – Water/Sewer Options Assessment Phase 1:
 - a) The additional scope (Phase 1) shall consist of evaluation of potential options for water supply and wastewater discharge from the proposed industrial facilities associated with the CHIPS funding. The outcome of Phase 1 is to determine which water supply, water treatment, and wastewater treatment/disposal options will be evaluated in detail in a future phase of work. Costs for each option will be included in future phases of development.
 - b) Supplemental agreements or separate contracts would be developed for future phases of work that will be necessary to finalize the water supply, treatment, and wastewater treatment/disposal improvements to be utilized to serve the proposed industrial facilities. Summaries of the future Phases are notes for referenced in Exhibit B.

B. Anticipated Project Schedule.

1. PEC shall commence its services on the Project within 7 days after receiving CLIENT's notice to proceed.
2. PEC and CLIENT anticipate the Scope of Services will be completed within 70 calendar days following receipt of an executed copy of this agreement.
3. CLIENT acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.

C. Project Deliverables.

1. Phase 1: High Level Assessment
 - a) The deliverables for Phase 1 will be a report outlining the identified options; initial discussions with current and potential contracted suppliers; summary of existing CCUA treatment plant conditions, capacities and recommended improvements (as provided in the Burns & McDonnell report); and comparison of options.

D. Scope of Services:

1. Project Management:
 - a) Development and management of the project schedule, preparation and distribution of project meeting agendas and minutes, development of information requests as required to complete the scope of services listed below, and CLIENT communications.
 - b) Set up and facilitate meetings with applicable regulatory agencies as required to obtain initial input on water supply and wastewater service options.
 - c) Participate in meetings with new industrial users and CLIENT as required.
 - d) Work with the CLIENT and new industrial users to determine treatment requirements for reusing wastewater effluent for process water supply.

2. Water and Wastewater Contract Review:
 - a) Assist CLIENT with review of current water purchase and wastewater treatment agreement provisions and options for modifications to the contracts.
 - b) Attend up to two meetings with the City of Wichita and two meetings with CCUA and/or Park City to discuss current contracts and potential modifications.
 - c) Attend up to three meetings with CLIENT staff to discuss contract negotiations and water purchase rate structures.
3. Water Supply and Treatment Options Evaluation:
 - a) Review potential water supply options including raw and/or treated water from the City of Wichita, the City of El Dorado, new water rights, CCUA, reusing treated wastewater effluent for industrial process water supply, and a combination of these options. Determine the amount of water each PWSS or new water rights can supply.
 - b) Review other options for future connections including selling of raw or treated water and potential benefits of cross connections with other systems.
 - c) Review anticipated water quality for each water supply alternative using available information from nearby wells or publications on the local aquifer.
 - d) Provide recommendations on water quality testing, hydrogeological investigations, or other information gathering required for evaluation of the identified options.
4. Wastewater Treatment and Disposal Options Evaluation:
 - a) Review anticipated water quality for each of the new industrial customers as well as the CLIENTS's domestic wastewater and determine design criteria for the treatment options.
 - b) Determine options for wastewater effluent including reuse and discharging to a receiving stream. Coordinate with KDHE as required to determine receiving stream discharge requirements.
 - c) Evaluate the effect of potential WWTP discharge quantities on flood profiles of up to two existing water bodies.
 - d) Determine any permitting and regulatory requirements and limitations for discharging to the identified receiving streams.
 - e) Review previously prepared report of existing CCUA water and wastewater treatment facilities and identify required improvements for condition and capacity.
 - f) Review option to discharge wastewater to the City of Wichita sanitary sewer system.

5. Report Preparation:

- a) Prepare a draft report summarizing the project background information and options evaluation. Submit the draft report for the CLIENT's review.
- b) Attend up to two review meetings to obtain the CLIENT's input and incorporate comments to prepare the final report.
- c) Submit the final report to the CLIENT and present the findings at one City Council workshop or meeting.

E. **Additional Responsibilities of CLIENT:**

The CLIENT agrees to provide the following pursuant to PEC accomplishing the Scope of Services outlined herein.

1. Provide information requested by PEC in a timely manner.
2. Attend any meetings with PEC as required throughout the PROJECT.
3. Review documents and provide comments and input.
4. Provide and coordinate access as required for project needs.
5. Coordinate communications and meetings with the industrial users.

F. **Additional Services:**

The following services can be provided by PEC at an additional cost by Supplemental Agreement:

1. Preliminary Engineering Reports.
2. Field surveys.
3. Funding assistance.
4. Permitting through KDHE, DWR, or other applicable agencies.
5. Geotechnical or hydrogeological investigations.
6. Preparation of construction plans, specifications, or Engineer's Opinion of Probable Costs.
7. Design of "Additional Services or Extra Services" as defined by CASE unless specifically agreed to. Additional services typically consist of site structures, screen walls, shoring, preparation of shop drawings, and review of value engineering and substitutions.
8. Platting and/or Zoning change processes.
9. Easement abandonments, dedications, and staking.
10. On-site construction observation services.
11. Construction staking and materials testing.
12. Construction Administrative Services.
13. Construction observation/inspection and testing.
14. Review or analysis of the current water rate structure for Bel Aire customers.
15. Detailed reviews or evaluations of water and sewer system infrastructure.
16. Collection or analysis of water samples.
17. Meetings in excess of those noted in the scope.
18. Future phases of study and design, as noted in Exhibit B.

G. Exclusions:

The following shall be specifically excluded from the Scope of Services to be provided by PEC.

1. Environmental assessments/clearances.
2. Design services.
3. Any filing or permit fees. All fees shall be paid directly to the regulatory agency/entity by the CLIENT.
4. Vacuum excavation of utilities.
5. Offsite removal of spoils.
6. Handling of contaminated soils
7. Land acquisition.

EXHIBIT B

A. Phase 2: Preferred Options Assessment:

1. Phase 2 work will include a study to evaluate each viable option identified in Phase 1 in greater detail. This work will include establishing for each option: infrastructure improvements needed, estimated capital and annual operational costs established as permitting requirements, and other factors as identified by the stakeholders. The deliverable from Phase 2 will be a report, with the outcome of Phase 2 to determine which water supply, water treatment, and wastewater treatment/disposal options will be pursued for design.

B. Phase 3: Siting Study and Conceptual Design:

1. Phase 3 work will include a siting study and concept design to evaluate specific properties for the location of any identified water or wastewater treatment facilities. The siting study will include review of zoning and setback requirements, preliminary site layout, proximity to water and sewer system connections, site utility availability (gas, electric), and concept treatment process elements. The deliverable from Phase 3 will be detailing each site and the total estimated cost for each project including property acquisition, easements, design and construction.

C. Phase 4: Preliminary Engineering Report (PER):

1. Phase 4 work will include development of a Preliminary Engineering Report (PER), prepared to meet current state and federal state revolving fund (SRF) requirements. The PER will include discussions of current conditions, projected water and wastewater needs, and details of the proposed improvements. The PER is the first step in achieving buy-in from the Kansas Department of Health and Environment and a document that is required to complete the application for the SRF program funding.

2023 RATE SCHEDULE A**

<u>TITLE</u>	<u>HOURLY RATE *</u>
Principal Engineer	\$220
Senior Project Manager	\$200
Project Manager	\$180
Senior Engineer.....	\$175
Project Engineer.....	\$155
Senior Landscape Architect	\$165
Landscape Architect.....	\$115
Land Use Planner.....	\$140
Design Engineer.....	\$125
Senior Technician	\$140
Design Technician	\$105
Senior Commissioning Agent	\$140
Commissioning Agent.....	\$115
GIS Specialist	\$140
GIS Analyst.....	\$110
Project Assistant	\$90
Senior Field Project Manager	\$160
Field Project Manager.....	\$145
Senior Inspector	\$150
Inspector	\$120
Senior Field Technician	\$100
Field Technician	\$80
Driller.....	\$105
Land Surveyor.....	\$130
Party Chief.....	\$110
Survey Technician	\$90
*Premium time for all non-salaried personnel or as noted in the contract	1.5 multiplier

REIMBURSABLES:

Infrared Camera.....	\$50/Hour
Structural Testing Equipment	\$50/Hour
Outside Consultants.....	Cost plus 10%
Reproduction & Photography	Cost plus 10%
Equipment Rental	Cost plus 10%
Material	Cost plus 10%
Vehicle Mileage	IRS Rate/Mile
Truck Mileage	\$0.70/Mile
ATV.....	\$20/Hour
GPS	\$50/Hour
3D Laser Scanner	\$150/Hour
Robotic Total Station.....	\$50/Hour
UAS.....	\$150/Hour
Mobile Lidar Unit.....	\$150/Hour
Drill Rig Use	\$75/Hour
Car Rental and Fuel.....	Cost plus 10%
Per Diem, Meals	Cost plus 10%
Per Diem, Lodging	Cost plus 10%
Deliveries and Overnight Mail... ..	Cost plus 10%
Travel, Hotel, Meals, and Subsistence.....	Cost plus 10%
Filing Fees	Cost plus 10%
Concrete Testing Equipment	\$10/Each
Nuclear Gauge Equipment.....	\$20/Each
Compression Tests of Cylinders	\$12/Each
Ultra Sonic Testing Equipment	\$50/Each
Semi-Trailer Mileage.....	\$3/Mile

**The rates shown above are effective for services through December 31, 2023 and are subject to revision thereafter.



MANAGERS REPORT

DATE: March 30, 2023
TO: Mayor Benage and City Council
FROM: Ty Lasher, City Manager
RE: April 4, 2023 Agenda

Consent Agenda (Item VI)

The consent agenda contains only the Minutes of the March 21, 2023 regular City Council meeting.

Appropriations Ordinance (Item VII)

This reporting period includes one payroll period. Kansas Paving received first payment of \$729,176.93 for pavement curbing repairs. Other project expenses included \$61,993 to McCullough, and \$42,214 to Garver.

City Requested Appearances (Item VIII)

Garver representatives will be here to talk about current and upcoming projects. Pat Herman will give an update on Woodlawn construction progress and Ken Lee will give an update on the design of the 45th Street project.

Amendment to Agreement, PEC Water & Sewer Plan (Item A)

Council contracted with PEC to develop a plan for the city's current and future water and sewer needs based on projected growth. The plan was nearing completion early this year. However, the Integra project was recently announced. Integra and its associated suppliers will require much greater water distribution and sewage treatment capacity than was projected. This addendum to the PEC agreement will allow them to consider the additional capacity required and start looking into options for service on both the water and sanitary sewer sides. It will include preliminary discussions with potential suppliers (El Dorado, City of Wichita and CCUA --additional water rights likely needed) for water usage and reviewing CCUA and the City of Wichita for potential sanitary sewer treatment options. This phase would be only for the preliminary discussions and to decide which alternatives are the most feasible for proceeding with further

evaluation. The costs associated with addendum will be split between the water and sewer funds. Staff recommends that Council accept the Amendment to the Agreements for Professional Services from PEC in the amount of \$48,500.00.

Executive Session (Item XII)

Will need an executive session.

Discussion And Future Issues (Item XIII)

The next monthly Workshop falls on April 11, 2023 at 6:30 pm. I do not have anything pending so if council would like a month off, we could cancel. However, Council may have items to discuss that will create an agenda. We can determine at the meeting if there are items to include, date and time.

This year the first Tuesday in July falls on the 4th which is a holiday. Moving it to Monday, the 3rd, may affect vacations. Wednesday or Thursday are possible dates. What is Council's preference?