



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**November 07, 2023 7:00 PM**



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

**II. ROLL CALL**

Present were Councilmembers Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch.

Also present were City Manager Ty Lasher, City Attorney Maria Schrock, Assistant City Manager Ted Henry, Public Works Director Marty McGee, Chief of Police Darrell Atteberry, City Clerk Melissa Krehbiel, Financial Consultant Adam Pope of Columbia Capital Management, LLC, and Bond Counsel Kevin Cowan of Gilmore and Bell, P.A.

**III. OPENING PRAYER:** Dr. Robert Lindsted provided the opening prayer.

**IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

Mayor Jim Benage led the pledge of allegiance.

**V. PROCLAMATION:**

**A. Veteran's Day - November 11, 2023**

Mayor Benage read and signed the proclamation.

**VI. DETERMINE AGENDA ADDITIONS:** There were no additions.

**VII. CONSENT AGENDA**

**A. Approve the Minutes of the October 17, 2023 City Council regular meeting.**

**B. Approve the Minutes of the October 25, 2023 special City Council meeting.**

**C. Approve the Minutes of the October 30, 2023 special City Council meeting.**

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

## **VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**

### **A. Consideration of Appropriations Ordinance No. 23-20 in the amount of \$1,982,442.94.**

**MOTION:** Councilmember Hamburg moved to approve Appropriations Ordinance No. 23-20. Councilmember Davied seconded the motion. *Motion carried 5-0.*

## **IX. CITY REQUESTED APPEARANCES: None**

## **X. CITIZEN CONCERNS**

Lyle Ackerman, 4920 N. Hillcrest, spoke about concerns about the construction on Woodlawn.

## **XI. REPORTS**

### **A. Council Member Reports**

Councilmember Hamburg reported she attended the K-254 meeting, Fall Fest and a play put on by Sunrise Christian Academy students. She thanked Recreation Center staff for a great soccer season.

Councilmember Dehn reported he attended Fall Fest, the KDOT virtual consult, the K-254 meeting, Isely elementary school's family movie night and a walk to school event. He plans to attend the Tree Board educational event on Saturday.

Councilmember Smith briefly reported on the latest meeting of the CCUA. He also attended the KDOT virtual consult.

### **B. Mayor's Report**

Mayor Benage reported that he recently spoke to a kindergarten class at Sunrise Christian Academy. He gave a brief update of the most recent meeting of the CCUA. He thanked the Bel Aire Chamber of Commerce, Bel Aire Lions and City staff for their work on Fall Fest. Mayor Benage recently met with representatives of Integra. He noted that the Federal government has pushed back the announcement for recipients of CHIPS funding; so now it looks like the announcement will be made in December.

### **C. City Attorney Report**

City Attorney Maria Schrock gave a brief report on the Kansas Attorney General Opinion 2023-05 regarding City publications.

### **D. City Manager Report**

City Manager Lasher reported that the Bel Aire Lion's Club will host their annual Taste of Italy fundraiser at Gospel Assembly Church; he encouraged citizens to attend. Also, City offices will be closed this Friday in honor of Veteran's Day.

## **XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS**

### **A. Consideration of An Ordinance Authorizing And Providing For The Issuance Of General Obligation Bonds, Series 2023A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto.**

**MOTION:** Councilmember Smith moved to approve An Ordinance Authorizing And Providing For The Issuance Of General Obligation Bonds, Series 2023A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto and authorize the Mayor to sign. Councilmember Welch seconded the motion.

Rollcall Vote:

Greg Davied - Aye

Tyler Dehn - Aye

Emily Hamburg - Aye

Justin Smith - Aye

John Welch - Aye

*Motion carried 5-0.*

### **B. Consideration of A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Bonds, Series 2023A, Of The City Of Bel Aire, Kansas, Previously Authorized By Ordinance No. 708 Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

**MOTION:** Councilmember Hamburg moved to approve A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Bonds, Series 2023A, Of The City Of Bel Aire, Kansas, Previously Authorized By Ordinance No. 708 Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

### **C. Consideration of A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of General Obligation Temporary Notes, Series 2023B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

**MOTION:** Councilmember Davied moved to approve A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of General Obligation Temporary Notes, Series 2023B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith and authorize the Mayor to sign. Councilmember Smith seconded the motion. *Motion carried 5-0.*

**D. Consideration of Accepting and Filing the Aurora Park Gravel Roads Task Force Drainage Report and Speed Reduction Report dated October 19, 2023.**

**MOTION:** Councilmember Hamburg moved to accept and file the Aurora Park Gravel Roads Task Force Drainage Report and Speed Reduction Report. Councilmember Davied seconded the motion. *Motion carried 5-0.*

**E. Consideration of selecting an Owners Representative for potential future city infrastructure projects. PEC and Burns & McDonnell submitted RFQ's.**

**MOTION:** Councilmember Dehn moved to accept the Request for Qualifications from PEC and authorize staff to negotiate an agreement for said owner's representative services. Councilmember Davied seconded the motion. *Motion carried 5-0.*

**F. Consideration of action on Charter Ordinance #24. This relates to city legal publications.**

**MOTION:** Councilmember Smith motioned to uphold Charter Ordinance #24 and schedule a special election. Councilmember Dehn seconded the motion. *Motion failed 2-3*, with Councilmembers Davied, Hamburg, and Welch voting against the motion.

**MOTION:** Councilmember Welch moved to let the Charter Ordinance die. Councilmember Welch withdrew his motion.

Discussion followed. Councilmembers asked questions of City staff regarding possible options. No further action was taken regarding this item.

**G. Consideration of a Proposal from Fire Protection Systems to remove and replace the double check backflow preventers in Bel Aire's water pump house.**

**MOTION:** Councilmember Smith moved to accept the proposal from Fire Protection Systems to remove and replace the double check backflow preventers in Bel Aire's water pump house at a cost not to exceed \$42,110.00 and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

**H. Consideration of a Quote from Axon Enterprise, Inc. for the purchase of the Axon cameras and related equipment.**

**MOTION:** Councilmember Hamburg moved to accept the Quote from Axon Enterprise, Inc. for the purchase of the Axon cameras, docks, cables, warranties,

storage, and license at the cost of \$84,454 with the payment to be spread over 60-months and authorize the mayor to sign. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

### **XIII. EXECUTIVE SESSION**

**MOTION:** Councilmember Smith moved to take a 10-minute recess. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council held a recess. At 8:45 p.m. Mayor Benage called the meeting back to order.

#### **A. Executive Session**

**MOTION:** Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of: attorney-client consultation regarding contractual obligations pursuant to K.S.A. 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship. Invite the City Manager, City Attorney, Bond Counsel and Assistant City Manager. The meeting will be for a period of 45 minutes, and the open meeting will resume in City Council Chambers at 9:30 p.m. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 9:30 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

### **XIV. DISCUSSION AND FUTURE ISSUES**

#### **A. Workshop – November 14<sup>th</sup> at 6:30 pm?**

#### **B. Regular Meeting on November 21st?**

The Council briefly discussed the agendas for the upcoming regular meeting and workshop. There was consensus to hold the workshop at 7:00 p.m. on November 14<sup>th</sup>.

### **XV. ADJOURNMENT**

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