



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**July 05, 2022 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 Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, City Engineer Anne Stephens, City Clerk Melissa Krehbiel 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 Benage led the pledge of allegiance.

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

**VI. CONSENT AGENDA**

- A. Approval of Minutes of the June 21, 2022 City Council meeting.**
- B. Accept Petitions for Sanitary Sewer and Water Distribution System Improvements to serve Chapel Landing 5<sup>th</sup> Phase 1.**
- C. Approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/Chapel Landing 5th Addition-Phase 1); And Amending, Restating And Repealing Resolution No. R-22-21.**
- D. Approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Distribution Improvements/ Chapel Landing 5th Addition-Phase 1); And Amending, Restating And Repealing Resolution No. R-22-23.**

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

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

### **A. Consideration of Appropriations Ordinance 22-12 in the amount of \$642,372.25**

**MOTION:** Councilmember Smith moved to approve Appropriations Ordinance 22-12. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

## **VIII. CITY REQUESTED APPEARANCES**

### **A. Senator Ty Masterson**

### **B. Woodlawn Construction Update – Garver**

Senator Masterson reviewed legislative accomplishments and took questions from the Council.

Dakota Zimmerman, Garver, gave an update on Woodlawn construction progress.

## **IX. CITIZEN CONCERNS:**

Betty Martine, 4701 N Woodlawn, spoke to the Council. She spoke about the history and current activities of the Senior Club, Inc. Many of the members of this group were part of the petition process to incorporate Bel Aire as a City. She stated that the Senior Club, Inc. has found a new location to meet, outside of the City and they will not rely on City funding.

Gary O’Neil, President of the Bel Aire Lions Club, spoke to the Council regarding the fireworks ordinance. The Ordinance only allows four permits to be issued per year and does not make any distinction between for-profit and non-profit applicants. In the past, the City Code made this distinction. He would like for the Council to review the Ordinance. He is concerned that a non-profit may one day lose its traditional permit to a for-profit business.

## **X. REPORTS**

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

Councilmember Dehn reported he attended the federal issues forum with the K-254 Corridor Association. He invited citizens and businesses to attend the Bel Aire Chamber’s monthly lunch on the first Wednesday of each month. He thanked the Lions Club and the Rec Center for a great baseball season. Residents can attend a fishing clinic this weekend at the pond near Central Park pool. He will attend the Kansas Infrastructure summit next week.

Councilmember Smith gave a brief report on the latest CCUA meeting on June 23<sup>rd</sup>.

Councilmember Welch commented on illegal fireworks discharges. There seemed to be less problems this year than last year. He suggested a printed copy of the rules be given to fireworks customers with their receipt.

**B. Mayor's Report**

- Mayor Benage reported he attended the grand opening of the new KPTS public television headquarters
- He attended the most recent CCUA meeting.
- July 12<sup>th</sup> is the last day to register to vote in the Primary Election.
- August 2<sup>nd</sup> is the Primary Election. All registered voters may vote on the Kansas Constitutional amendment on the ballot.
- In October, the League of Kansas Municipalities will hold its annual conference. Mayor Benage will attend, and he encouraged the Councilmembers to attend as well.

**C. City Attorney Report**

City Attorney Kelly briefly reported on sidewalk regulations and the regulations on political signs in the right of way.

Mayor Benage took a question from James Schmidt. Mr. Schmidt asked who is responsible for wheelchair ramp installation and repair. Ms. Kelly said the wheelchair ramps are being installed gradually at intersections throughout the city. The City will repair and maintain the ramps.

**D. City Manager Report**

City Manager Lasher briefly reported on fireworks cleanup requirements and the paving petitions that will soon be mailed to certain neighborhoods. Garver, the engineering firm responsible for the project, will hold an open house on July 19<sup>th</sup> to explain the petitions and answer any questions about financing and costs.

**XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS**

**A. Consideration of a consulting contract with Burns & McDonnell Engineering Company, Inc. to complete a performance audit of CCUA.**

Brian Meier and Don Koci of Burns & McDonnell Engineering Company, Inc. spoke about their company's services and stood for questions from the Council.

**MOTION:** Councilmember Hamburg moved to approve the consulting agreement with Burns & McDonnell Engineering Company, Inc. and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**B. Consideration of a consulting agreement with the Loyd Group, LLC for a financial audit of the CCUA.**

**MOTION:** Councilmember Smith moved to approve the consulting agreement with Loyd Group, LLC and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

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

The meeting was in recess from 9:00 p.m. to 9:10 p.m. At 9:10 p.m. Mayor Benage called the meeting back to order in open session.

- C. Consideration of approving a Notice of Revenue Neutral Rate (RNR) Intent form and setting the date of the Revenue Neutral Rate hearing for September 7, 2022 at 7:00 p.m. The County Clerk will then notify residents of the public hearing and their estimated tax rates. The form must be filed with the Sedgwick County Clerk by July 20, 2022.**

**MOTION:** Councilmember Davied moved to approve the Notice of Revenue Neutral Rate (RNR) Intent form, set the date of the Revenue Neutral Rate hearing for September 7, 2022 at 7:00 p.m., and authorize the Mayor to sign. Councilmember Smith seconded the motion. *Motion carried 5-0.*

Mayor Benage stated that Agenda Items XI D and E would be tabled until the next meeting, in the interest of time. Councilmembers must attend the Bel Aire Land Bank meeting directly after tonight's Council meeting.

- D. Consideration of An Ordinance establishing no parking along Prairie Court in the Prairie Preserve addition.**
- E. Consideration of the Revised Tax Increment Financing (TIF) Policy for the City of Bel Aire.**
- F. Consideration of appointing Emily Hamburg to the City of Bel Aire Kansas, Land Bank.**

**MOTION:** Councilmember Smith moved to appoint Emily Hamburg to the City of Bel Aire Kansas, Land Bank. Councilmember Welch seconded the motion. *Motion carried 5-0.*

- G. Consideration of appointing Tyler Dehn to the City of Bel Aire Kansas, Land Bank.**

**MOTION:** Councilmember Davied moved to appoint Tyler Dehn to the City of Bel Aire Kansas, Land Bank. Councilmember Smith seconded the motion. *Motion carried 5-0.*

## **XII. EXECUTIVE SESSION**

- A. Action:** Motion to go into executive session for the sole purpose of discussing the subject of: matters related to Council employees, pursuant to the KSA 75-4319 exception for: non-elected personnel and invite the (City Manager and / or City Attorney). The meeting will be for a period of (\_\_) minutes, and the open meeting will resume in City Council Chambers at (\_\_\_\_\_) PM.
- B. Consideration of the revised Employment Agreement with the City Manager.**

Mayor Benage stated that Agenda Items XII A and B would be tabled until the next meeting.

### **XIII. DISCUSSION AND FUTURE ISSUES**

#### **A. July workshop – July 12th at 6:30 pm?**

The Council briefly discussed the agenda for the next City Council workshop, which will be held on July 12, 2022 at 6:30 p.m.

### **XIV. ADJOURNMENT**

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

The meeting adjourned at 9:17 p.m.