



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
March 05, 2024 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 Councilmembers Greg Davied, Tyler Dehn, Emily Hamburg and John Welch. Councilmember Justin Smith was absent. Also present were City Manager Ty Lasher, Assistant City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Public Works Marty McGee, City Clerk Melissa Krehbiel, Ken Lee, P.E. of Garver, and Bond Counsel Kevin Cowan of Gilmore and Bell, P.A.

III. OPENING PRAYER: Mark Posson provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. PROCLAMATION

A. American Red Cross Month - March 2024

B. Severe Weather Preparedness Week, March 4-8, 2024

Councilmember Davied read the proclamation for American Red Cross Month, and Mayor Benage read the proclamation for Severe Weather Preparedness. Mayor Benage then signed the proclamations.

VI. DETERMINE AGENDA ADDITIONS: There were no additions.

VII. CONSENT AGENDA

A. Approval of Minutes of the February 20, 2024 City Council meeting.

B. Approval of a Resolution designating signatories for the City's account with the Kansas Municipal Investment Pool.

C. Approval of a Resolution designating signatories for the City's checking account.

MOTION: Councilmember Davied moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 4-0.*

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-04 in the amount of \$454,118.20.

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance No. 24-04. Councilmember Davied seconded the motion. *Motion carried 4-0.*

IX. CITY REQUESTED APPEARANCES: None

X. CITIZEN CONCERNS

Gary Jantz, 6200 E 45th St N, spoke about his concerns regarding the Council's choice to plan a roundabout on 45th Street.

XI. REPORTS

A. Council Member Reports

Councilmember Hamburg briefly reported on the latest meeting of the Chisholm Creek Utility Association (CCUA), the end of the indoor basketball and indoor soccer seasons, and the recent Sunrise Christian Academy play. She noted that the Council should think about having serious discussions soon about space concerns at the Rec Center.

Councilmember Davied briefly reported on the latest meeting of CCUA.

Councilmember Dehn reported on upcoming meetings: Bel Aire Chamber of Commerce meets tomorrow at City Hall, tomorrow is Transportation Day at the state capitol, and the K-254 Corridor Development Association will meet on Friday in Benton.

B. Mayor's Report

Mayor Benage briefly reviewed recent meetings of CCUA, the Regional Economic Area Partnership (REAP), and staff of the Wichita Area Metropolitan Planning Association (WAMPO). Later this week, the Sedgwick County Association of Cities (SCAC) will meet in Sedgwick. On March 21st, Sunrise Christian Academy will host a blood drive. Also on March 21st, a severe weather safety program will be presented at City Hall by the Bel Aire Police Department and Sedgwick County Emergency Management.

C. City Attorney Report

City Attorney Maria Schrock gave a brief report on recent staff training regarding the new sewer use ordinance.

D. City Manager Report

City Manager Ty Lasher reported on upcoming events on the following dates:

- March 21st – Severe Weather Preparedness Program at City Hall
- March 23rd - Spring Fest at Bel Aire Recreation Center
- April 27th - Shred and E-recycle day at City Hall
- May 2nd -4th city wide garage sale
- May 18th city wide cleanup

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of an Agreement with Katherine Jacobs for the 53rd Street Reconstruction Project.

MOTION: Councilmember Dehn moved to approve the Agreement with Katherine Jacobs for the 53rd Street Reconstruction Project and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 4-0.*

B. Consideration of acquiring a Permanent Road Right-of-Way for the 53rd Street Reconstruction Project.

MOTION: Councilmember Hamburg moved to approve the acquisition of a Permanent Road Right-of-Way from Katherine Jacobs for the 53rd Street Reconstruction Project and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

C. Consideration of acquiring a Temporary Construction Easement for the 53rd Street Reconstruction Project.

MOTION: Councilmember Davied moved to approve the acquisition of a Temporary Construction Easement from Katherine Jacobs for the 53rd Street Reconstruction Project and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 4-0.*

D. Consideration of A Resolution Amending And Supplementing Resolution No. 21-40 Of The City Of Bel Aire, Kansas, Which Authorized Certain Improvements To 53rd Street In The City And The Issuance Of General Obligation Bonds Of The City To Pay Costs Of Such Improvements.

MOTION: Councilmember Dehn moved to adopt A Resolution Amending And Supplementing Resolution No. 21-40 Of The City Of Bel Aire, Kansas, Which Authorized Certain Improvements To 53rd Street In The City And The Issuance Of General Obligation Bonds Of The City To Pay Costs Of Such Improvements and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 4-0.*

E. Consideration of accepting a bid for 53rd Street Reconstruction, Oliver to Woodlawn. Four bids were received:

	<u>Eng. Est.</u>	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>	<u>Prado</u>
Base Bid	\$1,906,687.00	\$1,767,210.75	\$1,541,211.00	\$1,554,703.10	No Bid
Add.Alt.1	\$332,028.00	\$202,906.00	\$216,740.50	\$202,906.00	\$774,732.00
Base +Alt.1	\$2,238,715.00	\$1,970,116.75	\$1,757,951.50	\$1,757,609.10	\$1,999,822.90
Add.Alt. 2	\$290,205.00	\$197,679.01	\$213,269.70	\$178,422.00	No Bid
Base+Alt.2	\$2,196,892.00	\$1,964,889.76	\$1,754,480.70	\$1,733,125.10	\$1,999,822.90
Base+1&2	\$2,528,920.00	\$2,167,795.76	\$1,971,221.20	\$1,936,031.10	\$1,999,822.90

<u>Completion Dates</u>	<u>Eng. Est.</u>	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>	<u>Prado</u>
Asphalt Substantial	Oct. 1	Aug. 15	Oct. 1	Oct. 1	No Bid
Asphalt Final	Oct. 31	Sept. 14	Oct. 1	Oct. 25	No Bid
Concrete Substantial	Oct. 1	Sept. 15	Oct. 1	Nov. 29	Oct. 1
Concrete Final	Oct. 31	Oct. 1	Nov. 15	Dec. 20	Oct. 20

MOTION: Councilmember Dehn moved to accept the bid from Kansas Paving for the base bid in the amount of \$1,541,211.00 for 53rd Street Reconstruction, Oliver to Woodlawn and authorize the Mayor to sign all related documents. Councilmember Davied seconded the motion. *Motion carried 3-1*, with Councilmember Welch voting against the motion.

F. Consideration of proposals for Construction Inspection and Administration services for 53rd Street from Oliver to Woodlawn.

<u>Company</u>	<u>Inspection</u>	<u>Compliance Testing</u>	<u>Total</u>
PEC	\$241,465.00	\$27,531.40	\$268,996.40
TranSystems	\$215,000 - \$285,000	Included*	\$215,000- \$285,000
WSP	\$277,176.32	\$27,063.50	\$277,176.3

*additional nominal fee for moisture/density analysis

MOTION: Councilmember Dehn moved to accept the Agreement for Construction Inspection and Administration Services with TranSystems for the Construction Inspection and Administration for 53rd Street from Oliver to Woodlawn in the amount not to exceed \$215,000 and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 3-1*, with Councilmember Welch voting against the motion.

G. Consideration of accepting a bid for Hillcrest Water Main Replacement. Four bids were received:

<u>Contractors</u>	<u>Bid</u>
UMC	\$287,973.00
Dondlinger	\$408,600.00
Mies	\$377,060.00
Nowak	\$359,963.00
McCullough	No Bid

MOTION: Councilmember Welch moved to accept the bid from UMC in the amount of \$287,973.00 for Hillcrest Water Main Replacement and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 4-0.*

H. Consideration of accepting a bid for street repairs on Webb Road north of 53rd Street, Oliver between 47th and 48th Street, and 39th and Edgemoor. Three bids were received:

<u>Contractor</u>	<u>Bid amount</u>
Pearson Construction	\$57,005.00
Kansas Paving	\$49,840.00
APAC Construction	\$60,875.00

MOTION: Councilmember Hamburg moved to accept the bid from Kansas Paving in the amount of \$49,840.00 for street repairs on Webb Road north of 53rd Street, Oliver between 47th and 48th Street, and 39th and Edgemoor and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

I. Consideration of a Kansas Local Bridge Improvement Program Bridge Reconstruction/Rehabilitation Agreement.

MOTION: Councilmember Welch moved to approve the Kansas Local Bridge Improvement Program Bridge Reconstruction/Rehabilitation Agreement by and between the Kansas Department of Transportation and the City of Bel Aire and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 4-0.*

J. Consideration of the proposal from Mayer Specialty Services in the amount of \$12,500 for a thorough cleaning and video inspection of the storm sewer box culvert and pipe that run underneath the northbound lane of Woodlawn from Quail Ridge to 45th.

MOTION: Councilmember Dehn moved to approve the quote from Mayer Specialty Services in the amount of \$12,500.00 for a thorough cleaning and video inspection of the storm sewer box culvert and pipe that run underneath the northbound lane of Woodlawn from Quail Ridge to 45th and authorize the Mayor to sign all related

documents. Councilmember Davied seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

K. Consideration of an Interlocal Service Agreement For Exchange Of Services Between The City Of Bel Aire, Kansas And The City Of Kechi, Kansas, and a related waiver from Triplet Wolf Garretson, LLC.

MOTION: Councilmember Welch moved to approve an Interlocal Service Agreement For Exchange Of Services Between The City Of Bel Aire, Kansas And The City Of Kechi, Kansas and approve the Conflict Waiver from Triplet Wolf Garretson, LLC and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

XIII. EXECUTIVE SESSION

MOTION: Councilmember Welch moved to take a 7-minute recess. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

The Council then held a brief recess. At 8:41 pm, Mayor Benage called the meeting back to order in open session.

- A. MOTION:** Councilmember Davied 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, Assistant City Manager, City Attorney, City Engineer and Neil Gosch. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 8:57 p.m. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

The Council then recessed into executive session. At 9:00 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

- B. MOTION:** Councilmember Hamburg moved to recess into Executive Session to discuss contract negotiations 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. The Executive Session will include the City Manager, Assistant City Manager, and Attorneys for the City. The Executive Session will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:16 p.m. Councilmember Welch seconded the motion. *Motion carried 4-0.*

The Council then recessed into executive session. At 9:19 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

- C. MOTION:** Councilmember Dehn moved to recess into Executive Session to discuss personnel performance pursuant to K.S.A. 75-4319(b)(1) to discuss personnel matters of non-elected personnel. The Executive Session will include the City Attorney. The Executive Session will be for a period of 15 minutes, and the open meeting will resume in

City Council Chambers at 9:35 p.m. Councilmember Hamburg seconded the motion. ***Motion carried 4-0.***

The Council then recessed into executive session. At 9:35 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

- D. MOTION:** Councilmember Welch moved to recess into Executive Session to discuss personnel performance pursuant to K.S.A. 75-4319(b)(1) to discuss personnel matters of non-elected personnel. The Executive Session will include the Assistant City Manager. The Executive Session will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:52 p.m. Councilmember Davied seconded the motion. ***Motion carried 4-0.***

The Council then recessed into executive session. At 9:58 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: Workshop March 12th at 6:30 p.m.?

The Council briefly discussed the agenda for the workshop to be held at 6:30 p.m. on March 12th.

XV. ADJOURNMENT

MOTION: Councilmember Dehn moved to adjourn. Councilmember Davied seconded the motion. ***Motion carried 4-0.***