



**MINUTES**  
**CITY COUNCIL MEETING**  
7651 E. Central Park Ave, Bel Aire, KS  
February 20, 2024 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, Assistant City Manager, City Attorney Maria Shrock, City Engineer Anne Stephens, and City Clerk Melissa Krehbiel.

**III. OPENING PRAYER:** Gary Green 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 February 6, 2024 City Council meeting.**

**B. Accept and file the Bel Aire Land Bank 2023 Ending Sales and Financial Report.**

**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.*

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

**A. Consideration of Appropriations Ordinance No. 24-03 in the amount of \$547,694.08.**

**MOTION:** Councilmember Davied moved to approve Appropriations Ordinance No. 24-03. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**VIII. CITY REQUESTED APPEARANCES**

**A. 45th Street Update - Ken Lee, PE, Garver**

Mr. Lee gave a brief update on the Aurora Park and Cozy Drive paving projects: he anticipates bids to be taken in April, and construction to begin in May.

Regarding the Design of 45<sup>th</sup> Street, Mr. Lee presented the results of traffic studies and a public survey. He presented a Design Concept for 45<sup>th</sup> street with specific recommendations for Council to consider. He then stood for questions from the Council.

## **IX. CITIZEN CONCERNS**

Carol Russell, 6218 E 45<sup>th</sup> St N, spoke regarding concerns about the Woodlawn report.

## **X. REPORTS**

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

Councilmember Hamburg briefly reported on the monthly meeting of the Bel Aire Chamber of Commerce, which was held at the Catholic Care Center. She commented on the end of the Bel Aire Rec Center's basketball season and thanked staff and volunteer coaches for their work.

Councilmember Dehn reported on recent meetings he attended including the Kansas Active Transportation webinar, Bike-Walk Bel Aire, K-254 Corridor Association strategic planning committee, and the Transit open house hosted by the Wichita Area Metropolitan Planning Organization (WAMPO). at the Bel Aire Rec Center.

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

Mayor Benage briefly reported on recent meetings he attended including the Utility Advisory Committee, Sedgwick County Fire District No 1 Steering Committee, WAMPO Transportation Policy Body, and the WAMPO open house regarding the regional transportation plan.

**C. City Attorney Report:** No report was given.

**D. City Manager Report:** No report was given.

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

### **A. Consideration of A Design Concept in conjunction with the 45th, Woodlawn to Oliver Design Project. Two Actions are requested of the Council.**

**MOTION:** Councilmember Davied moved to approve the design of a 2-lane roundabout for traffic control at the intersection of 45th and Oliver in conjunction with the 45th, Woodlawn to Oliver design project. Councilmember Dehn seconded the motion. ***Motion carried 4-1*** with Councilmember Welch voting against the motion.

**MOTION:** Councilmember Welch moved to approve the Design Concept as amended to include all deceleration lanes as add/alternates and to enclose the ditch at the southwest corner of 45<sup>th</sup> and Oliver in conjunction with the 45th, Woodlawn to Oliver design project. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

**B. Consideration of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Changing The Zoning District Classification Of Certain Lands Located In The City Of Bel Aire, Kansas Under The Authority Granted By The Zoning Regulations Of The City (Tierra Verde South, PUD-23-02).**

**MOTION:** Councilmember Dehn moved to accept An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Changing The Zoning District Classification Of Certain Lands Located In The City Of Bel Aire, Kansas Under The Authority Granted By The Zoning Regulations Of The City (Tierra Verde South Addition, PUD-23-02) 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

Jim Benage – Aye

**Motion carried 6-0.**

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

**MOTION:** Councilmember Smith moved to accept the bid from Kansas Paving in the amount not to exceed \$1,757,951.50 contingent on the Right of Way acquisition being completed and adoption of an authorizing Resolution. Councilmember Welch seconded the motion. Discussion followed.

**MOTION:** Councilmember Smith moved to withdraw his earlier motion. Discussion followed.

**MOTION:** Councilmember Hamburg 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, and the City Engineer. The meeting will be for a period of 10 minutes, and the open meeting will resume in City Council Chambers at 9:20 p.m. Councilmember Dehn seconded the motion.

Councilmember Welch raised a procedural question regarding Councilmember Smith's last motion.

**MOTION:** Councilmember Smith moved to withdraw his earlier motion. Councilmember Davied seconded. **Motion carried 4-1**, with Councilmember Welch voting against the motion.

**MOTION:** Mayor Benage stated that Councilmember Hamburg's motion for Executive Session would now be entertained. Councilmember Dehn seconded the motion. **Motion carried 4-1**, with Councilmember Davied voting against the motion.

The Council then recessed into Executive Session. At 9:20 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

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

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

Mayor Benage noted the time and requested a motion to remove certain items from the agenda for consideration at a later date.

**MOTION:** Councilmember Hamburg moved to remove items D, G, and H from the agenda. Councilmember Smith seconded the motion. *Motion carried 5-1* with Councilmember Welch voting against the motion.

**MOTION FOR RECESS:** Councilmember Welch moved to take a 5-minute recess. Councilmember Davied seconded the motion. *Motion carried 5-0.*

Following the recess, Mayor Benage requested a motion to address Item XII. A. (Executive Session for attorney-client consultation regarding contractual obligations).

**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, Assistant City Manager, City Attorney, City Engineer and Neil Gosch. The meeting will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 9:52 p.m. Councilmember Davied seconded the motion. *Motion carried 5-0.*

The Council then recessed into executive session. At 9:55 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

**E. Consideration of a quote from Imagine IT for server replacement.**

**MOTION:** Councilmember Smith moved to accept the quote from Imagine IT for server replacement for a one-time fee of \$23,397.50, and a recurring monthly fee of \$880.88 and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**F. Consideration of a quote from Imagine IT for the Security Shield Program.**

**MOTION:** Councilmember Dehn moved to accept the quote from Imagine IT for the Security Shield Program for a one-time fee of \$6,000, and a recurring monthly fee of \$1,989.20 and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

**G. Consideration of a Resolution designating signatories for the City's checking account.**

*This item was removed from the agenda for consideration at a later date.*

**H. Consideration of a Resolution designating signatories for the City's account with the Kansas Municipal Investment Pool.**

*This item was removed from the agenda for consideration at a later date.*

**I. Consideration of A Software and Professional Services Agreement with gWorks for software data conversion.**

**MOTION:** Councilmember Hamburg moved to approve the Software and Professional Services Agreement with gWorks at a cost not to exceed \$24,500 and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

**XII. EXECUTIVE SESSION**

**A.** *This Item was addressed earlier in the meeting.*

**B. MOTION:** Councilmember Dehn 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 20 minutes, and the open meeting will resume in City Council Chambers at 10:23 p.m. Councilmember Smith seconded the motion. *Motion carried 5-0.*

The Council then recessed into executive session. At 10:25 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

**C. MOTION:** Councilmember Hamburg 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 Manager, Assistant City Manager, and Attorney for the City. The Executive Session will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 10:47 p.m. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

The Council then recessed into executive session. At 10:48 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

**XIII. DISCUSSION AND FUTURE ISSUES:** There was no further discussion.

**XIV. ADJOURNMENT**

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