



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**May 03, 2022 7:00 PM**



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

**II. ROLL CALL**

Greg Davied, Justin Smith, and John Welch were present.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, City Engineer Anne Stephens and City Clerk Melissa Krehbiel.

**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. Older Americans Month - May 2022**

**B. Public Service Recognition Week - May 1-7, 2022**

Mayor Benage read and signed the proclamations.

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

**VII. CONSENT AGENDA**

**A. Minutes of the April 19, 2022 City Council meeting.**

**MOTION:** Councilmember Smith moved to approve the Consent Agenda and authorize the Mayor to sign. Councilmember Davied seconded the motion. ***Motion carried 3-0.***

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

**A. Consideration of Appropriations Ordinance 22-08 in the amount of \$587,151.02**

**MOTION:** Councilmember Davied moved to approve Appropriations Ordinance 22-08. Councilmember Smith seconded the motion. ***Motion carried 3-0.***

**IX. CITY REQUESTED APPEARANCES:** None

**X. CITIZEN CONCERNS:** No one spoke.

**XI. REPORTS**

**A. Council Member Reports**

Councilmember Smith reported he attended the Arbor Day celebration last Saturday and he thanked the Tree Board and City staff for their work on the event.

Councilmember Welch reported he attended the E-recycling and shredding event last Saturday and thanked the Lions for putting on the event.

**B. Mayor's Report**

Mayor Benage briefly reported on the April 28<sup>th</sup> meeting of the Chisholm Creek Utility Authority (CCUA), and the Mayor's Conference held on April 28<sup>th</sup> through the 30<sup>th</sup> in Manhattan, Kansas.

There are two open positions on the Tree Board and one application has been received. Applications for Ms. Wynn's council seat will be accepted through May 19<sup>th</sup>. Those who applied for Dr. Schroeder's council seat, but who are not appointed tonight, will be asked if they wish to be considered for Ms. Wynn's seat.

Regarding the recent tornado in Andover, the Bel Aire City Manager and Police Chief have offered their assistance. Mayor Benage asked that citizens keep the people of Andover in their prayers.

On May 9<sup>th</sup>, a four-way stop will be installed at Rock Road and 53<sup>rd</sup> Street, and KDOT will begin installing right turn lanes at K-254 and Rock Road.

Mayor Benage briefly reported on upcoming events:

- May 4<sup>th</sup> - Bel Aire Chamber of Commerce will sponsor an open house at Clinic In A Can.
- May 5<sup>th</sup> - A blood donation event will be held at the Catholic Care Center.
- May 14<sup>th</sup>- Sedgwick County Association of Cities (SCAC) meets at 8:30 a.m. at Maize City Hall.
- May 17<sup>th</sup>- Bel Aire Recovery Center will have an open house.
- June 18<sup>th</sup> - Coffee with the Mayor will be held; more details coming soon.

**C. City Attorney Report**

City Attorney Kelly briefly reported on the Council Vacancy Policy and how appointees are confirmed. She also briefly reported on irrigation backflow compliance and ADA compliance on the City's online communications.

**D. City Manager Report**

- City Manager Lasher reported that 113 vehicles went through the E-Recycling and Shredding event last Saturday.
- Public works will complete seasonal street sweeping soon. Residents can follow the City on social media to see when to move their cars in advance of sweeping.
- Sewer line rehabilitation for Pearson's Addition neighborhood has begun and will take about 7 weeks to complete.
- Congratulations to Ted Henry and the Finance Department for receiving the Distinguished Budget Presentation Award from the Government Finance Officer's Association (GFOA) for the current budget year.
- Also, congratulations to Northeast Magnet for being named as one of the Best High Schools in Kansas in 2022 by US News.

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

### **A. Consideration of Mayor Benage's reappointment of Paul Matzek to the Bel Aire Area Planning Commission. The term will be for three years.**

**MOTION:** Councilmember Smith moved to accept the Mayor's reappointment of Paul Matzek to the Bel Aire Area Planning Commission. Councilmember Welch seconded the motion. *Motion carried 3-0.*

### **B. Consideration of Mayor Benage's reappointment of James Schmidt to the Bel Aire Area Planning Commission. The term will be for three years.**

**MOTION:** Councilmember Davied moved to accept the Mayor's reappointment of James Schmidt to the Bel Aire Area Planning Commission. Councilmember Welch seconded the motion. *Motion carried 3-0.*

### **C. Consideration of adopting the 2022 Municipal Water Conservation Plan for the City of Bel Aire.**

**MOTION:** Councilmember Davied moved to approve the 2022 Municipal Water Conservation Plan for the City of Bel Aire and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 3-0.*

### **D. Consideration of an Ordinance changing the zoning classification from AG Agricultural to M-1 Planned Unit Development – Industrial District on certain property located within the corporate city limits of the City of Bel Aire, Kansas (1/4 mile east of Rock Road and K-254 Highway).**

**MOTION:** Councilmember Smith moved to accept an Ordinance changing the zoning classification from AG Agricultural to M-1 Planned Unit Development – Industrial District on certain property located within the corporate city limits of the City of Bel Aire, Kansas (1/4 mile east of Rock Road and K-254 Highway) and authorize the Mayor to sign. Councilmember Davied seconded the motion.

#### **Roll Call Vote:**

Jim Benage - Aye Greg Davied- Aye Justin Smith- Aye John Welch- Aye

*Motion carried 4-0.*

- E. Consideration of an Ordinance changing the zoning classification from C-1 Commercial to R-5b Zero Lot Line Residential on certain property located within the corporate city limits of the City of Bel Aire, Kansas (Elk Creek 3rd).**

**MOTION:** Councilmember Benage moved to accept an Ordinance changing the zoning classification from C-1 Commercial to R-5b Zero Lot Line Residential on certain property located within the corporate city limits of the City of Bel Aire, Kansas (Elk Creek 3rd) and authorize the Mayor to sign. Councilmember Smith seconded the motion.

**Roll Call Vote:**

Jim Benage - Aye Greg Davied- Aye Justin Smith- Aye John Welch- Aye

*Motion carried 4-0.*

- F. Consideration of An Order Vacating A Portion of the 54<sup>th</sup> Street Right-of-Way in Sunflower Commerce Park 2<sup>nd</sup>, Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas.**

**MOTION:** Councilmember Davied moved to approve An Order Vacating A Portion Of the 54<sup>th</sup> Street Right-of-Way in Sunflower Commerce Park 2<sup>nd</sup>, Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas and authorize the Mayor to sign. Councilmember Welch seconded the motion.

**Roll Call Vote:**

Jim Benage - Aye Greg Davied- Aye Justin Smith- Aye John Welch- Aye

*Motion carried 4-0.*

- G. Consideration of the Change Order Request from Kansas Paving for additional depth for the concrete sidewalk in Skyview at Block 49 in the amount of \$15,771.60.**

**MOTION:** Councilmember Smith moved to approve the Change Order Request from Kansas Paving in the amount of \$15,771.60 for Skyview at Block 49 - Paving, and authorize the Mayor to sign all related documents. Councilmember Davied seconded the motion. *Motion carried 3-0.*

- H. Consideration of the Change Order Request from Kansas Paving for a reconciliation of quantities for Rock Spring 3<sup>rd</sup>, Phase 2 Paving in the amount of \$10,510.00.**

**MOTION:** Councilmember Davied moved to approve the Change Order Request from Kansas Paving in the amount of \$10,510.00 for Rock Spring 3<sup>rd</sup>, Phase 2 - Paving, and authorize the Mayor to sign all related documents. Councilmember Smith seconded the motion. *Motion carried 3-0.*

- I. Consideration of the Mayor's reappointment of City Manager Ty Lasher.**

**MOTION:** Councilmember Smith moved to accept the Mayor's reappointment of Ty Lasher to City Manager. Councilmember Davied seconded the motion. *Motion carried 3-0.*

**J. Consideration of the Mayor's reappointment of City Attorney Jacqueline Kelly.**

**MOTION:** Councilmember Davied moved to accept the Mayor's reappointment of Jacqueline Kelly to City Attorney. Councilmember Smith seconded the motion. *Motion carried 3-0.*

**K. Consideration of the Mayor's reappointment of Municipal Judge Terry Beall.**

**MOTION:** Councilmember Davied to accept the Mayor's reappointment of Terry Beall to Municipal Judge. Councilmember Smith seconded the motion. *Motion carried 3-0.*

**L. Consideration Of A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Health Care Facilities Revenue Bonds (Catholic Care Center), Series 2022, In One Or More Series, To Provide Funds For The Purpose Of Financing Improvements To Health Care And Retirement Facilities Owned And Operated By Catholic Care Center, Inc.; And Authorizing Execution Of Certain Related Documents.**

**MOTION:** Councilmember Smith moved to approve A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Health Care Facilities Revenue Bonds (Catholic Care Center), Series 2022, In One Or More Series, To Provide Funds For The Purpose Of Financing Improvements To Health Care And Retirement Facilities Owned And Operated By Catholic Care Center, Inc.; And Authorizing Execution Of Certain Related Documents, and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 3-0.*

**M. Consideration of the Mayor's appointment of Emily Hamburg to the Bel Aire City Council. This is to fill the open seat vacated by Dr. Joel Schroeder. The term will end on December 5, 2023.**

**MOTION:** Councilmember Davied moved to accept the Mayor's appointment of Emily Hamburg to the Bel Aire City Council seat vacated by Dr. Joel Schroeder. Councilmember Welch seconded the motion. *Motion carried 3-0.*

**XIII. EXECUTIVE SESSION**

**MOTION:** Councilmember Welch moved to go into executive session for the sole purpose of discussing the subject of: matters of non-elected personnel contracted employees, pursuant to the KSA 75-4319 exception for: the same. At some point the Council may invite Ty Lasher and/or Jacqueline Kelly into this session. The meeting will be for a period of 30 minutes, and the open meeting will resume in City Council Chambers at 8:39 PM. Councilmember Smith seconded the motion. *Motion carried 3-0.*

The Council then adjourned for executive session. At 8:39 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting back to order in open session.

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

##### **Workshop - May 10th at 6:30 p.m.?**

The Council briefly discussed the agenda for the next workshop. The workshop will be held on May 10<sup>th</sup> at 6:45 p.m., following a special meeting to swear-in new councilmember Emily Hamburg.

#### **XV. ADJOURNMENT**

**MOTION:** Councilmember Smith moved to adjourn. Councilmember Davied seconded the motion. *Motion carried 3-0.*

The meeting adjourned at 8:43 p.m.