



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
July 02, 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 Tom Schmitz participated via videoconference.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, City Clerk Melissa Krehbiel, and Bond Counsel Sarah Steele of Gilmore & Bell.

III. OPENING PRAYER: A moment of silent prayer was observed.

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 18, 2024 City Council meeting.**
- B. Approval of the 2024 Municipal Water Conservation Report**
- C. Approval of the Mayor's Reappointment of Terry Ercolani to Seat 2 on the Bel Aire Utility Advisory Committee (UAC). If approved, the term will expire on August 1, 2027.**
- D. Approval of the Mayor's Reappointment of Dan Broyles to Seat 1 on the Bel Aire Utility Advisory Committee (UAC). If approved, the term will expire on August 1, 2027.**
- E. Confirm the Mayor's reappointment of John Charleston to the Planning Commission. If approved, the term will expire on April 1, 2027.**

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

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-12 in the amount of \$925,527.79.

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance No. 24-12. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

VIII. CITY REQUESTED APPEARANCES: None.

IX. CITIZEN CONCERNS: No one spoke.

X. PUBLIC HEARING

A. Industrial Revenue Bonds, WAM Investments - Phase 2: The purpose of the public hearing is to hear from taxpayers, citizens and other interested parties in regard to the issuance by the City of Bel Aire, Kansas of its Industrial Revenue Bonds (WAM Investments - Phase 2), in a principal amount not to exceed \$3,700,000 (the "Bonds") and in regard to an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the Issuer under authority of K.S.A. 12-1740 et seq., as amended, to pay the costs of the acquiring, constructing and equipping of a commercial facility to be located at 9000 E. 46th Street North, Bel Aire, Kansas. The Issuer further intends to lease such facility to WAM Investments, LLC, a Kansas limited liability company, or another legal entity to be formed by the principals of WAM Investments, LLC (the "Tenant").

Mayor Benage opened the public hearing. No one spoke.

MOTION: Councilmember Welch moved to close the public hearing. Councilmember Davied seconded the motion. *Motion carried 5-0.*

XI. REPORTS

A. Council Member Reports

Councilmember Hamburg reported she attended the latest Eagle Lake Park cleanup and the latest meeting of the CCUA, where she served as an alternate member in Councilmember Davied's absence. She attended a tour of sewer lift stations and thanked staff from Bel Aire, Park City and CCUA for organizing the tour. She also thanked Bel Aire Recreation volunteer coaches and staff for the ball season that just ended.

Councilmember Davied thanked the Bel Aire Police Department for their quick response tonight after a tree on 45th Street was downed by a storm.

Councilmember Dehn reported he recently volunteered for WAMPO's Safe Routes To School Plans Consultant Selection Committee. He briefly reviewed the latest meeting of the K-254 Corridor Development Association. On July 13th, he will host a community walking event at Central Park—all are welcome.

Councilmember Schmitz reported he has been setting up paperwork and email for his new city council position. He also recently looked at the Bel Aire Recreation fields, which will need some work.

B. Mayor's Report

Mayor Benage briefly reviewed the Regional Water Needs Consult hosted by Kansas Department of Health and Environment (KDHE) and the most recent meetings of the Sedgwick County Fire District No. 1 Steering Council, K-254 Corridor Development Association, and Chisholm Creek Utility Authority (CCUA). He also attended the June 29th cleanup at Eagle Lake Park.

Mayor Benage reported he recently received a thank you note for the City's support of PBS Kansas. He noted that two Bel Aire residents and former City Attorney Jaci Kelly are running in the same District Court Judge race. He noted that the President's cognitive decline was displayed at the presidential debate on Thursday and he requested prayers for the President and the nation.

Regarding upcoming events, CCUA will hold an En Banc meeting at 5:30 p.m. on July 25, 2024 at Bel Aire City Hall. The regular monthly CCUA meeting will be held immediately after the En Banc meeting. He encouraged the public to attend the community walking event at Bel Aire Central Park on July 13th and wished everyone a safe and enjoyable Independence Day.

C. City Attorney Report: No report was given.

D. City Manager Report

City Manager Ted Henry gave a brief report on a collapsed stormwater drainage pipe in Denise Park. The corrugated metal pipe collapsed due to age and needs to be repaired urgently. City staff will soon request bids on the project to get it repaired as soon as possible. Regarding fireworks, Mr. Henry reminded residents to call Sedgwick County's non-emergency phone number for fireworks complaints, and to clean up all fireworks debris by 10 pm on July 5th. City offices will be closed for the 4th of July. He also congratulated several employees for their many years of service.

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Constructing And Equipping Of A Commercial Facility To Be Located In The City; And Authorizing Execution Of Related Documents (WAM Investments, Phase 2).

MOTION: Councilmember Welch moved to adopt A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Constructing And Equipping Of A Commercial Facility To Be Located In The City; And Authorizing

Execution Of Related Documents. Councilmember Davied seconded the motion.
Motion carried 5-0.

B. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Revised Final Plat of Chapel Landing 7th.

MOTION: Councilmember Davied moved to accept the dedications within the Revised Final Plat of Chapel Landing 7th, Bel Aire, Sedgwick County, Kansas, and authorize all required signatures. Councilmember Dehn seconded the motion.

Roll Call Vote:

Greg Davied - Aye	Tyler Dehn – Aye	Emily Hamburg - Aye
Tom Schmitz - Aye	John Welch - Aye	Mayor Jim Benage- Aye

Motion carried 6-0.

C. Consideration of An Agreement Concerning The Development Of Chapel Landing 7th, Bel Aire, Sedgwick County, Kansas.

MOTION: Councilmember Dehn moved to approve An Agreement Concerning The Development Of Chapel Landing 7th, Bel Aire, Sedgwick County, Kansas and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

D. Consideration of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending A Conditional Use Permit For A Home Occupation Of In-Home Daycare On Property Zoned R-5 And Located Within The Corporate City Limits Of The City Of Bel Aire, Kansas (CON-24-01).

Applicant Lisa Barragan stood for questions from the Council.

MOTION: Councilmember Hamburg moved to adopt the Ordinance Approving a Conditional Use Permit in CON-24-01 and authorize the Mayor to sign.

Councilmember Welch seconded the motion.

Roll Call Vote:

Greg Davied – Aye	Tyler Dehn - Aye	Emily Hamburg - Aye
Tom Schmitz – Aye	John Welch - Aye	Mayor Jim Benage- Aye

Motion carried 6-0.

XIII. EXECUTIVE SESSION

A. MOTION: Councilmember Welch moved to recess into executive session to discuss with legal counsel and receive legal advice related to the Woodlawn Roadway Project. The discussions will be pursuant to K.S.A. 75- 4319(b)(2) for legal consultation with attorney Neil Gosch, which are deemed privileged in the attorney-client relationship. Invite the 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 at 8:00 p.m. Councilmember Davied seconded the motion. *Motion carried 5-0.*

The Council then recessed into Executive Session. At 8:02 p.m., Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

- B. MOTION:** Councilmember Welch moved to recess into executive session to discuss CCUA negotiations pursuant to K.S.A. 75-4319(b)(2): for legal consultation with the City Attorney which would be deemed privileged in the attorney-client relationship. Invite the City Manager and the City Attorney. The meeting will be for a period of 30 minutes, and the open meeting will resume in Council Chambers at 8:33 p.m. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

The Council then recessed into Executive Session. At 8:33 p.m., Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

XIV. DISCUSSION AND FUTURE ISSUES

- A. City Council Workshop - July 9, 2024, at 6:30 p.m.?**

The Council briefly discussed the agenda for the upcoming workshop, which will be held on July 9th at 6:30 p.m.

XV. ADJOURNMENT

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