



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
September 20, 2022 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 Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch.

Also present were Assistant City Manager/Director of Finance Ted Henry and City Attorney Jacqueline Kelly 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. DETERMINE AGENDA ADDITIONS: There were no additions.

VI. CONSENT AGENDA

A. Approval of Minutes of the September 7, 2022 City Council meeting.

B. Approval of Minutes of the September 13, 2022 Special City Council Meeting

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 22-17 in the amount of \$360,775.89.

MOTION: Councilmember Hamburg to approve Appropriations Ordinance 22-17. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES

A. 2021 Audit Presentation- Tara Laughlin from Allen, Gibbs & Houlik

Ms. Laughlin presented the findings of the audit for fiscal year 2021 and stood for questions from the Council.

IX. CITIZEN CONCERNS

Gary Jantz, 6200 E 45th St N, spoke in opposition to the Arthur Heights PUD Amendment. He is concerned about fire protection and the number of units proposed for the lot. He cited the City's zoning regulations and stated that the PUD zoning standards are extreme and will have negative impacts to the surrounding property owners.

Carol Russell, 6218 E 45th St N, stated that she lives on the property adjacent to the Arthur Heights PUD. She said that the proposed complex will not blend into the adjacent neighborhood, the plans have inadequate drainage. She believes the design would work better on a corner lot with adequate access to drainage. She is concerned that the ratio of police officers to residents will be inadequate if the proposed units are built.

Dan Bleam, 4630 N Hillcrest, stated that he has lived in the Arthur Heights neighborhood for about 60 years and he is not in favor of building the units. He questioned whether he had received appropriate notice of meetings to discuss this topic; he stated he only received one notice for a Planning Commission meeting. If a commercial entity were to go there, he would expect little activity at night.

Rebecca Armstrong, 4306 N Rushwood Circle, spoke to the Commission about her concerns about climate change and development in Bel Aire. She is concerned about the way construction rips up all the soil and trees. The fertilizer used on lawns and parks in Bel Aire causes algae blooms which are poisonous to humans, dogs and fish. She encouraged the community to do better planning to include open spaces, sidewalks, crosswalks and parks.

X. REPORTS

A. Council Member Reports

Councilmember Hamburg briefly reported on the latest meeting of the Bel Aire Lions Club. She reminded citizens that the City-Wide Cleanup will be October 1st; details can be found on the City's website.

Councilmember Dehn reported the next Bel Aire Chamber of Commerce meeting will be held at the Community Room at City Hall on October 5th. Also, the Bel Aire Police Department will host a fishing clinic on October 8th.

B. Mayor's Report

Mayor Benage briefly reported on several recent meetings: a special meeting with CCUA and KDHE, a focus group sponsored by Southern Star pipeline, interviews for the K-254 Corridor Plan Consultant, and regular meetings of the Sedgwick County Association of Cities, the Bel Aire Utility Advisory Committee, and the Wichita Area Municipal Planning Organization's (WAMPO) Transportation Policy Board.

Regarding upcoming events, McConnell Air Force Base will hold an air show and open house this weekend. Coffee with the Mayor will be held on October 22nd at 10:00 am at Los Cunados restaurant.

He encouraged citizens to support businesses on Woodlawn during the construction.

C. City Attorney Report

City Attorney Jacqueline Kelly briefly reported on the background regarding the Arthur Heights Planned Unit Development (PUD) which is on the agenda tonight, and notification procedures.

D. City Manager Report

Assistant City Manager Ted Henry reported on upcoming events:

- The Police Department will host a fishing clinic at the Central Park ponds on October 8th.
- Fall Fest will be held at the Rec Center on October 15th.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of an Amendment to the Arthur Heights Planned Unit Development (PUD -22-01).

Ken Lee, Garver, spoke on behalf of the applicant, and stood for questions from the Council. Applicant Russ Relph also spoke to the Council and answered their questions.

The Council discussed drainage, parking, the density of the proposed R-6 zoning, access to 45th Street, and the character of the neighborhood.

MOTION: Mayor Benage moved to deny the Arthur Heights PUD Amendment recommended by the Planning Commission, citing the character of the neighborhood, the zoning uses of nearby properties, the suitability of the property for the use to which it is restricted, and the extent to which the change will detrimentally affect nearby properties. Councilmember Hamburg seconded the motion.

Rollcall Vote:

Jim Benage - Aye Greg Davied- Nay Tyler Dehn - Aye
Emily Hamburg - Aye Justin Smith - Aye John Welch - Aye

Motion carried 5-1, with Councilmember Davied voting against the motion.

B. Consideration of A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas (Fee Schedule 2023).

MOTION: Councilmember Smith moved to approve A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

XII. EXECUTIVE SESSION

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of: the performance plan for non-elected personnel, pursuant to the KSA 75-4319 exception for: non-elected personnel matters. The meeting will be for a period of 10 minutes, and the open meeting will resume in City Council Chambers at 8:41 PM. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 8:41 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

MOTION: Councilmember Smith moved to go into recess for 5 minutes. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The meeting was in recess from 8:41 p.m. to 8:46 p.m. At 8:46 pm, Mayor Benage called the meeting back to order in open session.

MOTION: Councilmember Smith moved to go into executive session for the sole purpose of discussing the subject of attorney-client consultation regarding contract negotiations, pursuant to the KSA 75-4319 exception for: attorney-client privilege. Invite in the Assistant City Manager and the City Attorney. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:01 PM. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 9:01 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

MOTION: Councilmember Smith moved to extend the executive session for an additional 15 minutes, with the open meeting resuming in Council Chambers at 9:17 pm. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

The Council then returned to executive session. At 9:18 p.m. the Council returned to the Council Chambers. Mayor Benage stated no binding action was taken and called the meeting to order in open session.

XIII. DISCUSSION AND FUTURE ISSUES: The Council briefly discussed the Woodlawn construction project schedule. No action was taken.

XIV. ADJOURNMENT

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