



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**September 15, 2026 7:00 PM**



---

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

**II. ROLL CALL**

Councilmembers Greg Davied, Tyler Dehn, Emily Hamburg, Brandon McIntosh, and Mike Proctor were present. No one was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Clerk Melissa Krehbiel, and City Bond Counsel Kevin Cowan of Gilmore & Bell, P.A.

**III. OPENING PRAYER:** Gary Green provided the opening prayer.

**IV. PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE**

A. Boy Scout Troop #585 posted the flags and led the pledge of allegiance.

**V. DETERMINE AGENDA ADDITIONS:** There were no additions.

**VI. CONSENT AGENDA**

A. Approval of Minutes of the September 1, 2026 City Council meeting.

B. Reappoint Deryk Faber to the Planning Commission, term effective from October 1, 2026 to October 1, 2029.

C. Accept Petitions for Sanitary Sewer, Stormwater Sewer, and Water Distribution System Improvements to serve Lycee Addition.

D. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City Of Bel Aire; Making Certain Findings with Respect Thereto; Authorizing and Providing for the Making of the Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/Lycees Addition); And Amending, Restating And Repealing Resolution No. R-2024-11.

E. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City Of Bel Aire; Making Certain Findings with Respect Thereto; Authorizing and Providing for the Making of the Improvements In

**Accordance With Such Findings (Stormwater Drainage Improvements/Lyce Addition).**

- F. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City Of Bel Aire; Making Certain Findings with Respect Thereto; Authorizing and Providing for the Making of the Improvements In Accordance With Such Findings (Water System Improvements/Lyce Addition); And Amending, Restating And Repealing Resolution No. R-2024-12.**

**MOTION:** Councilmember McIntosh 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. 26-17 in the amount of \$667,857.55.**

**MOTION:** Councilmember Davied moved to approve Appropriations Ordinance No. 26-17. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

## **VIII. CITY REQUESTED APPEARANCES**

- A. Boy Scout Troop #585:** Boy Scout Gabe Avin introduced the Troop. They are attending the Council meeting as a requirement for a merit badge.

## **IX. PUBLIC HEARING:**

- A. The purpose of the public hearing is to hear any and all written or oral objections to the respective assessments considered in the Ordinance Levying Special Assessments on the agenda.**

Vicki Shepherd, 3821 Cozy Ln, asked is the road considered a private or public street? Who pays for Woodlawn? The construction company did a really poor job on her approach and the approaches of the neighbors around her. She called last year in June to tell them about the breakage already occurring in the approaches. They said they would come back and look at it, but they haven't. Regarding the letter that she and her neighbors received about payment, it mentions that each property owner may pay the assessment in whole or in part within 30 days of the public hearing. That is almost \$40,000 per household, and that's a big chunk of change to be paid in 30 days.

Mayor Benage noted that payments within the 30-day window will reduce the total bond amount before the bonds are sold.

City Manager Ted Henry stated that to clarify, it's just a pre-payment window to allow property owners, if they wanted to, to pay it all off in one stretch. If property owners choose not to prepay, the bond will be sold and the cost will be assessed over twenty years. He confirmed that assessed costs will appear on the property tax bill for the property owner, starting in 2027. The interest rate for the bonds is not known but is estimated around four to five percent.

Julie Hejtmanek, 4171 N Parkwood Ln, said the petitions projected cost per month was \$110.05 per month per lot for a total cost of \$26,412.95. At a meeting held on September 3, 2024 the updated projected cost was \$151 per month per lot. This Project did start on time, but ended up delayed for many months past the deadline that was projected. This cost the homeowners considerable inconveniences, such as not being notified in advance that their mail would be delivered to temporary mailboxes. At the September meeting, her husband inquired about payment options as they were thinking of getting funds together to pay it off with one payment. They were informed that the payments would be added to their property taxes. No mention of paying the full amount or that it would be less expensive to do so. If they wish to pay off balance in future, can they? If the amount remains at or below \$151 and they are allowed to pay it off in one payment in the future, then she does not object to the assessment. Otherwise, she objects since she feels that terms were changed due to poor planning and preparation and they were not given the information they needed in a timely manner.

City Manager Ted Henry stated that yes, property owners will have the option to go to the County Treasurer's office to pay off the special assessment balance. He noted that after the bonds are sold, interest will be applied to the special assessments.

Philip Harms, 4101 N Parkwood Ln, said he likes the street, it's much improved over the dust they had before. He is concerned about the apparent cost increase over what they were originally told. By his estimation it's an increase of about 23.8 percent. He would like a breakdown of the costs. His neighbor, Marty Burger, wrote a letter and it was distributed to everyone; he had some additional concerns that they are hoping to have addressed before the assessments are made.

Janet Ralston, 4141 N Parkwood, said she came here to formally protest the assessment based on several reasons and some of these are what Marty Burger wrote in his letter as well. She is protesting the unfair cost. She voted against the project to begin with. It's nice but they continue to deal with unfair imposed costs. She mentioned cost inflation due to engineer and contractor delays, negligent drainage resulting in property and flood damage, and unjust interest charges from reworked ditches. She requests the City Council delay the passage of the ordinance until a thorough cost audit is completed, until the interest charges accumulated during contractor downtime and ditch digging are subtracted from the final bill. Furthermore, she asks that the city disclose whether liquidated damages were assessed against the contractor and request that those funds be applied to lower the bills. The price for the mismanagement and causing damage to their properties needs to be taken into serious account.

Mayor Benage noted that at the last meeting the City Council held the cost to the original bid price and did not charge anyone for any extra work that was imposed because of delays. The city also agreed to absorb the work on the ditches because of deferred maintenance of those ditches. Mayor Benage noted that two written emails had been received by the Council from Martin Burger and Janet Ralston. He asked City Bond Counsel Kevin Cowan to address the concerns in the letters.

Kevin Cowan, Gilmore and Bell, P.C. addressed the Council. Mr. Cowan answered that yes, there could be some interest savings in paying off a temporary note early. However, City policy is to include many projects in each bond issue, in order to save on the costs of the bond

issuance. He also addressed questions about estimated interest costs, the assessment process, and legal parameters.

City Manager Ted Henry addressed the Council. He shared a breakdown of costs for the Aurora Park paving project. The City has not collected liquidated damages. He noted that the City contributed a total of \$550,000 to the Aurora Park neighborhood for the ditches. The City also contributed to the ditch work that was completed in the Cozy Drive neighborhood.

**MOTION:** Councilmember Proctor moved to close the Public Hearing. Councilmember McIntosh seconded the motion. *Motion carried 5-0.*

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

**XI. REPORTS**

**A. Council Member Reports**

Emily Hamburg reported on the tree dedication ceremony held in honor of Art Tenbrink on September 12<sup>th</sup>.

Councilmember Dehn attended a water conference hosted in Wichita last week. He congratulated City staff for winning an award at the conference.

**B. Mayor's Report**

Mayor Benage reported on the first meeting of the Kansas Municipalities Work Group for Property Taxes and the monthly meetings of the Bel Aire Chamber of Commerce, Utility Advisory Committee (UAC), Sedgwick County Association of Cities (SCAC), Wichita Regional Economic Area Partnership (REAP), and the Wichita Area Municipal Planning Organization (WAMPO). He attended the memorial tree dedication in honor of Art Tenbrink. He noted that REAP is sponsoring two forums for gubernatorial candidates at the Wichita Advanced Learning Library on September 18<sup>th</sup> and 20<sup>th</sup>, and the Bel Aire Chamber will host state senator Stephen Owens on October 1<sup>st</sup>. Mayor Benage reported that he sent a letter today to Prado Construction, asking about the estimated substantial completion date for the bike/walk path.

**C. City Attorney Report**

City Attorney Maria Schrock provided a report on recent training provided to the Planning Commission regarding parliamentary procedure and effective meeting practices.

**D. City Manager Report**

City Manager Ted Henry reported that Phase 2 of Woodlawn reconstruction is estimated to be 16 percent complete; this phase is estimated to last for six months. Mr. Henry congratulated public works staff for receiving an award at a recent water conference. He briefly reported on the September 12<sup>th</sup> tree dedication. He noted that the Chamber of Commerce will meet on October 1<sup>st</sup>, Fall Curbside Cleanup will be held on October 3<sup>rd</sup>, and Fall Fest will be held on October 17<sup>th</sup>.

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

- A. Consideration of An Ordinance Levying Special Assessments on Certain Property to Pay the Costs of Internal Improvements in the City of Bel Aire, Kansas, as Previously Authorized by Resolution Nos. R-2022-49, R-2023-01, R-2023-02, R-2023-09, R-2023-10, R-2025-07, R-2025-08, R-2023-11, R-2023-12, R-2023-13, R-2023-14 And R-2023-18 of the City; and Providing for the Collection of Such Special Assessments.**

**MOTION:** Councilmember Davied moved to adopt An Ordinance Levying Special Assessments on Certain Property to Pay the Costs of Internal Improvements in the City of Bel Aire, Kansas, as Previously Authorized by Resolution Nos. R-2022-49, R-2023-01, R-2023-02, R-2023-09, R-2023-10, R-2025-07, R-2025-08, R-2023-11, R-2023-12, R-2023-13, R-2023-14 And R-2023-18 of the City; and Providing for the Collection of Such Special Assessments, and authorize all required signatures. Councilmember Proctor seconded the motion.

Roll Call Vote:

Greg Davied - Aye

Tyler Dehn - Aye

Emily Hamburg - Nay

Brandon McIntosh – Aye

Mike Proctor - Aye

***Motion carried 4-1.***

- B. Consideration of Letter of Intent to Issue Industrial Revenue Bonds and Provide Other Incentives for the Development of KVH Chophouse.**

**MOTION:** Councilmember Dehn moved to approve the Letter of Intent to Issue Industrial Revenue Bonds and Provide Other Incentives for the Development of KVH Chophouse. Councilmember McIntosh seconded the motion. ***Motion carried 5-0.***

- C. Consideration of approving Professional Engineering Consultants (PEC) Work Order No 26-26 for Bel Aire 45th St N, Revised Plan Review in the amount not to exceed \$22,500.00.**

**MOTION:** Councilmember Davied moved to approve PEC Work Order No 26-26 for Bel Aire 45th St N, Revised Plan Review in an amount not to exceed \$22,500.00, and authorize the Mayor to sign. Councilmember Proctor seconded the motion. ***Motion carried 5-0.***

- D. Consideration of accepting a bid and agreement for an Upfitted Dump Truck.**

**MOTION:** Councilmember McIntosh moved to approve the bid from Don Hattan Ford, Inc. in the amount of \$110,577.00; and approve the agreement as presented; and authorize the Mayor and city staff to sign all necessary documents. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

- E. Consideration of accepting a bid and agreement for a UTV vehicle.**

**MOTION:** Councilmember Hamburg moved to approve the bid from Ravenscraft Implement, Inc. in the amount of \$25,058.08; and approve the agreement as presented; and authorize the Mayor and city staff to sign all necessary documents. Councilmember Proctor seconded the motion. ***Motion carried 5-0.***

**MOTION FOR EXECUTIVE SESSION:** Councilmember McIntosh moved to recess into executive session to discuss with legal counsel and receive legal advice related to pending litigation. The discussion will be pursuant to K.S.A. 75- 4319(b)(2) for legal consultation with Neil Gosch, which would be deemed privileged in the attorney-client relationship. Invite Neil Gosch, Katherine Chlumsky, City Manager and City Attorney. The meeting will be for a period of 45 minutes, and the open meeting will resume in City Council Chambers at 9:30 p.m. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The Council then recessed into Executive Session. At 9:32 p.m., Mayor Benage called the meeting to order and stated that no binding action had been taken.

**F. Consideration of electing three (3) Voting Delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on October 10, 2026.**

**MOTION:** Councilmember Dehn moved to elect Jim Benage, Emily Hamburg and Greg Davied as Bel Aire Voting Delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates. Councilmember McIntosh seconded the motion. ***Motion carried 5-0.***

**G. Consideration of electing three (3) alternate voting delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on October 10, 2026.**

**MOTION:** Councilmember McIntosh moved to elect Ted Henry and Maria Schrock as Bel Aire Alternate Voting Delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

**XIII. EXECUTIVE SESSION:** *This item was addressed earlier in the meeting.*

**XIV. DISCUSSION AND FUTURE ISSUES**

**A. Discussion on USD 259 Bond Issue**

The Council discussed the Wichita Area Chamber's support for issuance of a proposed bond for the Wichita USD 259 school district. Mayor Benage proposed the Council sign a letter in opposition to the Chamber's position. After discussion, there was not a majority of support for the proposed letter. No official action was taken by the Council.

**XV. ADJOURNMENT**

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