



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
February 06, 2024 7:00 PM



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

II. ROLL CALL

Councilmembers present were Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch. Also present were City Manager Ty Lasher, Assistant City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Public Works Marty McGee, and City Clerk Melissa Krehbiel.

III. OPENING PRAYER: Dr. Robert Lindsted 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 January 16, 2024 City Council meeting.

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

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-02 in the amount of \$1,507,600.81.

MOTION: Councilmember Smith moved to approve Appropriations Ordinance No. 24-02. Councilmember Davied seconded the motion. *Motion carried 5-0.*

VIII. CITY REQUESTED APPEARANCES

Commissioner Pete Meitzner gave an overview of the County government's roles and responsibilities and stood for questions from the Council.

IX. CITIZEN CONCERNS

Carol Russell 6218 E 45th St N, spoke about concerns about development on 45th Street, including drainage and street design plans.

Gary Jantz, 6200 E 45th St N, spoke about concerns about the Arthur Heights Estates Development, particularly drainage and the need for more detailed information about setbacks.

X. REPORTS

A. Council Member Reports

Councilmember Dehn gave a brief update on several recent meetings he attended including the K-254 Corridor Development Association, 45th Street Design informational meeting, and an Isely Elementary PTO meeting. He noted that Bel Aire Bike-Walk will meet on Saturday and the Bel Aire Chamber of Commerce will meet tomorrow and invited residents to attend.

Councilmember Davied gave a brief report about the latest Chisholm Creek Utility Authority (CCUA) meeting and LKM's Local Government Day in Topeka.

Councilmember Smith gave a brief report on the latest CCUA meeting.

Councilmember Hamburg reported the CCUA meeting and a presentation given by the Register of Deeds and the County Clerk.

B. Mayor's Report

Mayor Benage briefly reported on several recent meetings he attended: CCUA, REAP, Sedgwick County Fire District No. 1 Steering Committee, the Wichita Chamber of Commerce, Sedgwick County Association of Cities, and Local Government Day. He also made a presentation to Cub Scout Pack #585 on February 5th. He noted that a dangerous situation occurred recently with a child playing on an icy pond; he warned residents that the local climate is not cold enough to thoroughly freeze ponds or lakes and no one should attempt to walk on these bodies of water.

C. City Attorney Report

City Attorney Maria Schrock gave a brief report on the KRWA training that she recently attended.

D. City Manager Report

City Manager Ty Lasher reported on upcoming events: Spring Fest will be held on March 23rd, E-Recycle and Shred Day is April 27th and Curbside Cleanup will be held on May 18th and October 5th. He reported that the City received a report about Woodlawn from KDOT today. Staff will review the report and share copies with the Council tonight.

XI. ORDINANCES, RESOLUTIONS AND FINAL MOTIONS

A. Consideration of appointing a delegate and alternate delegate to the annual meeting of the Kansas Rural Water Association (KRWA).

Mayor Benage noted that City Engineer Anne Stephens and Public Works Supervisor Jon Stehman had attended the KRWA meeting in the past and are willing to represent the City again.

MOTION: Councilmember Hamburg moved to appoint Anne as the delegate and Jon as the alternate delegate to the annual meeting of the Kansas Rural Water Association and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

B. Consideration of bids for purchase and installation of a Badger Mag flow meter for a sanitary sewer lift station (53rd Street & Harding). Two companies submitted bids:

<u>Company</u>	<u>Bid</u>
R. W. Vaught for Badger Mag flow meter	\$17,500
R.W. Vaught for installation of flow meter	\$10,000
JCI for installation of flow meter	\$6,925

MOTION: Councilmember Dehn moved to approve the bid from R.W. Vaught in the amount of \$17,500 for the purchase of a Badger Mag flow meter and approve the bid from JCI in the amount not to exceed \$6,925 for installation of the meter and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

C. Consideration of An Ordinance Authorizing A Planned Unit Development Containing C-2 And R-5 Uses On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick County, Kansas And Revoking, Repealing And Superseding Ordinance 642 Adopted For The Same (PUD-23-01).

MOTION: Councilmember Davied moved to adopt An Ordinance Authorizing A Planned Unit Development Containing C-2 And R-5 Uses On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick County, Kansas And Revoking, Repealing And Superseding Ordinance 642 Adopted For The Same (Arthur Heights Estates) and authorize the Mayor to sign. Councilmember Smith seconded the motion.

Roll Call Vote:

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

Motion carried 6-0.

D. Consideration of An Agreement Concerning The Development Of Arthur Heights Estates, Bel Aire, Sedgwick County, Kansas.

MOTION: Councilmember Smith moved to approve An Agreement Concerning The Development Of Arthur Heights Estates, Bel Aire, Sedgwick County, Kansas and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

E. Consideration of An Agreement Concerning The Development Of Hollenbeck Farm, Bel Aire, Sedgwick County, Kansas (ZON-23-04).

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

F. Consideration of Master Services Agreement with Professional Engineering Consultants, P.A. (PEC).

MOTION: Councilmember Smith moved to approve the Master Services Agreement with Professional Engineering Consultants, P.A. as presented and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

G. Consideration of An Ordinance Concerning The Amendment Of Chapter 18, Of The City Code Of Bel Aire, Kansas, In Connection With The Zoning Map, All Within The City Of Bel Aire, Sedgwick County, Kansas.

MOTION: Councilmember Welch moved to table the item. Motion died for lack of second.

MOTION: Councilmember Smith moved to approve An Ordinance Concerning The Amendment Of Chapter 18, Of The City Code Of Bel Aire, Kansas, In Connection With The Zoning Map, All Within The City Of Bel Aire, Sedgwick County, Kansas and authorize the Mayor to sign. Councilmember Dehn seconded the motion.

Roll Call Vote:

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

Motion carried 6-0.

H. Consideration of accepting a proposal for the Geotechnical Investigation of 45th Street from Oliver to Woodlawn. Two proposals were received:

<u>Company</u>	<u>Total</u>
PEC	\$25,508.50
Terracon	\$19,700.00

MOTION: Councilmember Davied moved to accept the proposal from Terracon in the amount of \$19,700.00 for the Geotechnical Investigation of 45th Street from Oliver to Woodlawn and authorize the Mayor to sign all related documents. Motion died for lack of second.

MOTION: Councilmember Smith moved to accept the proposal from PEC in the amount of \$25,508.50 for the Geotechnical Investigation of 45th Street from Oliver to Woodlawn and authorize the Mayor to sign all related documents. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

XII. EXECUTIVE SESSION

- A. MOTION:** Councilmember Welch 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 30 minutes, and the open meeting will resume in City Council Chambers at 9:35 p.m. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The council then recessed into executive session. At 9:35 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

MOTION: Councilmember Davied moved to extend the Executive Session for an additional 15 minutes, with the open meeting to resume in Council Chambers at 9:50 p.m. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

The council then returned to 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.

- B. MOTION:** Councilmember Smith 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 10:16 p.m. Councilmember Dehn seconded the motion. ***Motion carried 4-0*** with Councilmember Hamburg absent from the vote.
- C. MOTION:** Councilmember Davied 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 15 minutes, and the open meeting will resume in City Council Chambers at 10:37 p.m. Councilmember Dehn seconded the motion. ***Motion carried 4-0***, with Councilmember Welch absent from the vote.

The council then recessed into executive session. At 10:41 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action had been taken.

- D. MOTION:** Councilmember Smith moved to approve A Contract For Legal Services Between The City Of Bel Aire, Kansas And Jay C. Hinkel, Attorney At Law. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

XIII. DISCUSSION AND FUTURE ISSUES: Workshop February 13th at 6:30 p.m.?

The Council briefly discussed the agenda for the next City Council workshop, which will be held at 6:30 p.m. on February 13, 2024.

XIV. ADJOURNMENT

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