



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
June 18, 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 Councilmember Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch. Councilmember Greg Davied participated by videoconference. Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Finance Barry Smith, City Clerk Melissa Krehbiel, and Thomas Schmitz.

III. OPENING PRAYER: John Barkett provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS

MOTION: Councilmember Welch moved to add an Executive Session before Item XII on the agenda. Councilmember Davied seconded the motion. *Motion carried 5-0.*

VI. CONSENT AGENDA

A. Approval of Minutes of the June 4, 2024 City Council meeting.

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

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-11 in the amount of \$574,734.28.

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance No. 24-11. Councilmember Smith seconded the motion. *Motion carried 5-0.*

VIII. CITY REQUESTED APPEARANCES

A. Councilmember Justin Smith - Service Recognition

Councilmember Justin Smith made remarks about the many successes and changes the City has experienced during his tenure. He thanked his family, the Mayor, Councilmembers, City staff, and the community for their support. He stated that it was an honor and a privilege to serve Bel Aire. Mayor Benage then made remarks about running for office with Councilmember Smith in 2017 and the many accomplishments the City has experienced during their tenure. He attributed much of the success to Councilmember Smith's insight and ability to articulate thoughts on the desired direction of the City. Mayor Benage then thanked Councilmember Smith for his contributions and presented a plaque to him.

B. Tamara Blackwell, Ms. Wheelchair Kansas 2024

Mayor Benage presented a certificate to Ms. Blackwell to recognize her service to the community. Ms. Blackwell then made remarks about her mission to advocate for the disabled, requested support from the City, and offered help in identifying opportunities to make spaces in Bel Aire more wheelchair friendly. Ms. Blackwell will represent the state in the national Ms. Wheelchair America contest in August.

C. Bob Henthorne and Ben Mabry, Professional Engineering Consultants – Woodlawn

Mr. Henthorne and Mr. Mabry gave an overview of the Geotechnical Engineering Services Report regarding Woodlawn Monitoring Wells and stood for questions from the Council.

IX. CITIZEN CONCERNS

No one spoke.

City Manager Ted Henry noted that the Council received two letters by mail, which were distributed to each Councilmember.

X. REPORTS

A. Council Member Reports

Councilmember Dehn briefly reported on a recent Bel Aire walking group event at Eagle Lake, the WAMPO regional transportation transit public open house, and the latest Bel Air Chamber luncheon. He noted that the K-254 Corridor Development Association will hold a public meeting on Friday at 11:30 a.m.

Councilmember Hamburg reported that the next community cleanup will be held at 9 a.m. on Saturday, June 29th at Eagle Lake. She also received comments from a community member suggesting changes to the City's website to make it easier to contact the governing body at large. She will speak to City staff about the possible changes.

B. Mayor's Report

Mayor Benage briefly reported on the tax cut passed by the Kansas Legislature, the Choose Wichita event, the most recent Walk Bel Aire event, and the WAMPO TPB meeting. He noted that former City Attorney Jaci Kelly is running for District Court Judge. He received two thank you notes: one regarding Dani's excellent work at the Rec Center and another from the Glenwood HOA thanking City staff for their work in mowing a vacant lot and cleaning a stormwater culvert. He congratulated a regional organization with offices in Bel Aire, the South-Central Kansas Economic Development District (SCKEDD), for being awarded an investment grant from the United States Economic Development Administration. Mayor Benage also reported on the June 10th meeting of the USD 259 Board of Education. The Board announced proposals to add grade levels at Isely Elementary School and add an athletic facility at Northeast Magnet High School. The Board is conducting a public survey about the proposals: a link to the survey can be found on the City's website.

C. City Attorney Report

City Attorney Maria Schrock briefly reported on Fireworks regulations in the City Code. This year, fireworks may be detonated until 11 p.m. on July 4th.

D. City Manager Report

City Manager Ted Henry thanked Councilmember Smith for his service on the Council. He reported that the Lions Club is working on plans to add park amenities to benefit individuals with disabilities; he suggested they work with Ms. Tamara Blackwell on the plan. Regarding water conservation, Cheney Reservoir, a major source of water for Wichita and Bel Aire, has recently had low levels of water, triggering stage 1 of the Municipal Water Conservation Plan. This stage of the plan recommends that residents be mindful of their water use, try to limit outdoor water use and make efficient use of water indoors. Staff will continue to monitor water conditions.

XI. ORDINANCES, RESOLUTIONS AND FINAL MOTIONS

A. Consideration of a Letter of Intent to Issue IRB's and Provide Other Incentives for Phase 2 of Bel Aire Industrial Park commercial strip center project (WAM Investments, Phase 2).

MOTION: Councilmember Hamburg moved to approve a Letter of Intent to Issue IRB's and Provide Other Incentives for Phase 2 of Bel Aire Industrial Park commercial strip center project (WAM Investments, Phase 2) and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

B. Consideration of a Notice of Hearing regarding Issuance of Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Constructing And Equipping Of A Commercial Facility To Be Located In The City (WAM Investments, Phase 2).

MOTION: Councilmember Welch moved to approve publication of a Notice of Hearing regarding Issuance of Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Constructing And Equipping Of A Commercial Facility To Be Located

In The City (WAM Investments, Phase 2). Councilmember Dehn seconded the motion. *Motion carried 5-0.*

C. Consideration of an Agreement with Garver for the Design, Construction Staking and Construction Observation Services for the Skyview 2nd, Phase 2 water, sanitary sewer, drainage and street projects in the amount of \$309,296, Not to Exceed.

MOTION: Councilmember Smith moved to accept the Agreement with Garver for the Design, Construction Staking and Construction Observation Services for the Skyview 2nd, Phase 2 water, sanitary sewer, drainage and street projects in the amount of \$309,296, Not to Exceed and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

Executive Session

MOTION: Councilmember Welch moved to recess into executive session for attorney-client consultation pursuant to K.S.A. 75-4319(b)(2): for consultation with an Attorney for the public body which would be deemed privileged in the attorney-client relationship. Invite the City Attorney. The meeting will be for a period of 10 minutes, and the open meeting will resume at 8:10 p.m. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

The Council then recessed into executive session. At 8:10 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

XII. APPOINTMENT TO CITY COUNCIL

A. Consideration of confirming the Mayor's appointment of _____ to fill the seat vacated by Justin Smith. The seat will be up for re-election in November of 2025.

MOTION: Councilmember Welch moved to table the appointment of the new councilmember until the next meeting on July 2nd. Motion died for lack of a second.

Mayor Benage announced his recommendation of Tom Schmitz to fill the vacancy.

MOTION: Councilmember Hamburg moved to confirm the recommendation of Tom Schmitz to fill the seat vacated by Justin Smith. Councilmember Dehn seconded the motion. *Motion carried 4-0-1* with Councilmember Smith abstaining from the vote.

B. Oath of Office for New Councilmember.

The City Clerk administered the Oath of Office to Mr. Thomas Schmitz. Councilmember Schmitz then took his seat with the Council.

XIII. EXECUTIVE SESSION

A. MOTION: Councilmember Dehn 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 and Justin Smith, CCUA Board Member. The meeting will be for a period of 15 minutes, and the open meeting will resume in City

Council Chambers at 8:38 p.m. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

The Council then recessed into executive session. At 8:40 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

- B. MOTION:** Councilmember Dehn 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, City Attorney, City Engineer, and Neil Gosch. The meeting will be for a period of 20 minutes, and the open meeting will resume in Council Chambers at 9:01 p.m. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The Council then recessed into executive session. At 9:03 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

XIV. DISCUSSION AND FUTURE ISSUES

A. Upcoming Council Meetings:

July 2, 2024 - regular City Council meeting, 7:00 p.m.

July 9, 2024 - City Council Budget Workshop, 6:30 p.m.

Councilmembers briefly discussed the agendas for the two meetings listed above. The Council noted that there was a typo in the date of the workshop on the agenda. The workshop will be held on July 9, 2024 at 6:30 p.m.

The Council also briefly discussed a concern with the Recreation Center ball fields related to Bermuda kill. There was consensus to discuss the matter further at a future council meeting.

XV. ADJOURNMENT

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