



**MINUTES**  
**CITY COUNCIL MEETING**  
7651 E. Central Park Ave, Bel Aire, KS  
Video Available at [belaireks.gov](http://belaireks.gov)  
June 15, 2021 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 Jeff Elshoff, Dr. Joel Schroeder, Justin Smith, John Welch, and Diane Wynn.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, City Engineer Anne Stephens, 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. Minutes of the June 1, 2021 City Council meeting.**

**MOTION:** Councilmember Smith moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Schroeder seconded the motion. ***Motion carried 4-0*** with Councilmember Welch abstaining from the vote.

**VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**

**A. Consideration of Appropriations Ordinance 21-11 in the amount of \$391,500.47**

**MOTION:** Councilmember Elshoff moved to approve Appropriations Ordinance 21-11. Councilmember Schroeder seconded the motion. ***Motion carried 5-0.***

**VIII. CITY REQUESTED APPEARANCES** - None

**IX. CITIZEN CONCERNS:** No one requested to speak.

**X. REPORTS**

**A. Council Member Reports**

Councilmember Welch responded to statements made by a citizen at the last meeting on June 1<sup>st</sup>. Councilmember Welch stated it is not true that nothing has been done in the Aurora Park neighborhood. New rock has been spread on the streets and he has heard it has lowered the dust. Regarding the discussion of trash and recycling, for him recycling pickup is much more important, because he usually has more recyclables than trash. In other news, Battin Street reconstruction is moving forward with curbs in place now.

Councilmember Smith reported that the slurry seal project is moving forward in the Westlake neighborhood. He stated that some citizens raised concerns that they did not receive the flyer informing them about when work would start. There were also communication problems about appropriate parking and trash service. He has spoken with City Manager Lasher and a plan is in place for better communication in the future. Also, he is interested in investigating alternatives to slurry-seal for future projects.

## **B. Mayor's Report**

On June 2<sup>nd</sup>, Mayor Benage witnessed Wichita Police patrol cars responding to a call in Bel Aire. He later learned that Chief Atteberry had called for backup after apprehending a stolen car suspect. The suspect had fled from Butler County. Chief Atteberry was assisted by several Wichita police officers who provided backup. Mayor Benage noted that this incident was an example of how law enforcement partnerships help everyone.

On June 4<sup>th</sup>, he attended the K-254 Corridor Association meeting where they received presentations by the Kansas Department of Commerce and the Wichita Area Chamber of Commerce.

On June 7<sup>th</sup>, he witnessed a member of a construction crew running through a stop sign at 45<sup>th</sup> and Woodlawn. He spoke to the City Manager to remind construction crews to respect stop signs. He reminded citizens to come to a full and complete stop at stop signs.

On June 8<sup>th</sup>, he attended the Wichita Area Metropolitan Planning Organization (WAMPO) meeting.

Regarding COVID-19, the Kansas Department of Health and Environment (KDHE) reports about 43.1 percent of Kansans have received at least one dose of a vaccine, an increase of one percent from two weeks ago. Sedgwick County reports a run of four months of almost flat rates of COVID-19 positive test results, between 2.3 and 5.2 percent.

## **C. City Attorney Report**

City Attorney Kelly reported on fencing requirements. Residents who use fences to contain their pets are required to make sure that their pet cannot escape the fence. Also, if other animals are able to enter the fence, there may be liability to the homeowner if the animal is injured.

Regarding Council meetings, minutes are the official record of the meeting. Video is also provided through the cable channel, City website and YouTube.

## **D. City Manager Report**

Regarding July 4<sup>th</sup>, City Manager Lasher reminded residents that fireworks may only be detonated on July 4<sup>th</sup> until 11:00 p.m. City offices will be closed for the holiday on July 5<sup>th</sup>.

Regarding Emergency Medical Service (EMS) coverage of Bel Aire, City Manager Lasher spoke with Sedgwick County EMS about some concerns raised by a citizen at the last Council meeting. Station 12 at Hillside and K-96 is the first response station for this area. The station is staffed full time, with a minimum of one ambulance there; sometimes there are two ambulances at the station.

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

### **A. Consideration of An Ordinance Authorizing And Providing For The Issuance Of General Obligation Refunding Bonds, Series 2021A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto.**

Kevin Cowan with Gilmore and Bell, Bond Counsel for the City, stood for questions from Council regarding agenda items XI A and B.

**MOTION:** Councilmember Welch moved to approve An Ordinance Authorizing And Providing For The Issuance Of General Obligation Refunding Bonds, Series 2021A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto, and authorize the Mayor to sign. Councilmember Smith seconded the motion.

#### **Rollcall Vote:**

Jeff Elshoff - Aye

John Welch - Aye

*Motion carried 5-0.*

Dr. Joel Schroeder - Aye

Diane Wynn – Aye

Justin Smith - Aye

### **B. Consideration of A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Refunding Bonds, Series 2021A, Of The City Of Bel Aire, Kansas, Previously Authorized By Ordinance No. [\_\_\_\_] Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

**MOTION:** Councilmember Smith moved to approve A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Refunding Bonds, Series 2021A, Of The City Of Bel

Aire, Kansas, Previously Authorized By Ordinance No. 670 Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith, and authorize the Mayor to sign. Councilmember Schroeder seconded the motion. ***Motion carried 5-0.***

**C. A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of \$9,910,000\* In The Aggregate Principal Amount Of General Obligation Temporary Notes, Series 2021B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

Kevin Cowan with Gilmore and Bell, Bond Counsel for the City, stood for questions from Council. Mr. Cowan stated that the Series 2021B Temporary Notes came to an Aggregate Principal Amount Of \$9,850,000.00.

**MOTION:** Councilmember Welch moved to approve A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of \$9,850,000.00 In The Aggregate Principal Amount Of General Obligation Temporary Notes, Series 2021B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith, and authorize the Mayor to sign. Councilmember Wynn seconded the motion. ***Motion carried 5-0.***

**D. Consideration of Contract Amendment No. 01 to the Agreement for Professional Services from Garver for Utility Relocations –Woodlawn, 37th To 45th.**

City Engineer Anne Stephens stood for questions from Council.

**MOTION:** Councilmember Smith moved to accept Contract Amendment No. 01 To the Agreement For Professional Services from Garver in the amount of \$29,073.00 for Utility Relocations –Woodlawn, 37th To 45th, and authorize the Mayor to sign. Councilmember Wynn seconded the motion. ***Motion carried 5-0.***

**E. Consideration of approving the City of Bel Aire 2021 Personnel Policy Manual**

**MOTION:** Councilmember Schroeder moved to approve the City of Bel Aire 2021 Personnel Policy Manual as presented. Councilmember Elshoff seconded the motion. ***Motion carried 5-0.***

## **XII. EXECUTIVE SESSION**

**MOTION:** Councilmember Welch moved to go into executive session for the sole purpose of discussing the subject of: **Attorney Client consultation about preliminary contract negotiations**, pursuant to the KSA 75-4319 exception for: Attorney Client Privilege. Invite the 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 8:15 p.m. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

The council then went into executive session. At 8:15 p.m. the Council returned to open session. Mayor Benage stated no binding action was taken.

**MOTION:** Councilmember Schroeder moved to extend the executive session for 15 minutes and the open meeting will resume at 8:35 p.m. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

The council then returned to executive session. At 8:35 p.m. the Council returned to open session. Mayor Benage stated no binding action was taken.

## **XIII. DISCUSSION AND FUTURE ISSUES – No other issues were discussed.**

## **XIV. ADJOURNMENT**

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