



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
March 17, 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 Tyler Dehn, Emily Hamburg, Brandon McIntosh, and Mike Proctor were present. Councilmember Greg Davied participated via videoconference. No one was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Community Development Paula Downs, City Clerk Melissa Krehbiel, and City Bond Counsel Kevin Cowan of Gilmore & Bell, PA.

III. OPENING PRAYER: Gary Green 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. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 26-05 in the amount of \$1,059,505.99.

MOTION: Councilmember McIntosh moved to approve Appropriations Ordinance No. 26-05. Councilmember Proctor seconded the motion. *Motion carried 5-0.*

VII. CITY REQUESTED APPEARANCES: None.

VIII. CITIZEN CONCERNS

Richard Webber spoke about his concerns about the proposed bike path. The path will go through his backyard. He is concerned that when saturated soil in the area of the bike path floods, it will push water closer to his house. After heavy rains, there is standing water in that area. He noted the sidewalk policy in the meeting agenda packet. He asked, if the bike path is adjacent to his house, will he be responsible for maintenance?

Don Bostick, 6273 E Central Park Ct, said that his cul-de-sac backs up to pipeline. When he was buying the property, he noticed that there was an easement for a sidewalk but no traffic there; it seemed like perfect situation. His property goes up to the tree line. His master bedroom and sunroom face the area., less than 20 ft from the pipeline. He thinks it would be best to do the alternate path and it is not necessary to go through everyone's backyard. Some of the homes there are small patio homes and that tree line is very important to the homeowners.

Mark Rabbie said he attended the February 17th community meeting and he heard lots of valid concerns about having a bike path on the pipeline. He expressed his concerns in an email to the City Council, he received responses from some. His concerns are: 1. Privacy: when he purchased his home, that lot was perfect; but with a bike path behind the house, they would lose all privacy; 2. Another issue is drainage. Water drains from Woodlawn and currently floods the yard. He had to put a sump pump in the backyard to deal with the water. He is not against a bike path, but he feels that there are plenty of options along current roadways. He does support option 2 in the current form. He would like to know if option 2 is voted for, if future bike paths would be on the pipeline.

Kelly Myza, 5816 E 49th St N, said her only concern is a bike path going thru residential properties. She is for a bike path, just a smart one.

Rebecca Gallo, 45th & Highland, said she would like for the Council to vote no on the first option. She is not anti- bike path; she is anti-bike path in her backyard. Reducing the backyard would limit what they could do. She would prefer bike paths on more common areas like 45th or 53rd.

Ken Barnes 6269 E Central Park Ct, spoke about the drainage problems in the proposed bike path area. He is in favor of sidewalks and bike paths elsewhere. He would love to see work on Woodlawn from 45th to 53rd.

IX. REPORTS

A. Council Member Reports

Councilmember Hamburg attended the Bel Aire Chamber meeting, the March 6th Pachyderm Club meeting, and the March 7th Sedgwick County Association of Cities (SCAC) meeting. She also visited the new park playground, which was totally packed on Saturday. She thanked everyone for their feedback on bike path project.

Councilmember Proctor reported he received several emails and messages from citizens about the bike path

Councilmember Dehn reported that he is participating in a WAMPO committee exploring how behavior affects transportation safety. On March 11th, he met with City staff and USD 259 staff to talk about Woodlawn crossing safety. He also attended a REAP (Wichita Regional Economic Area Partnership) meeting about data centers.

Councilmember Davied wished Mayor Benage a Happy Birthday next week.

B. Mayor's Report

Mayor Benage reported on the March 6 Pachyderm Club presentation, the March 7th SCAC meeting, Wichita Mayor Lily Wu's March 8th State of the City address, and the recent REAP meeting regarding data centers. He also visited Topeka on March 10th to participate in the HB2571 hearing.

C. City Attorney Report

City Attorney Maria Schrock addressed questions about what items the City is required to publish on website versus the newspaper.

D. City Manager Report

City Manager Ted Henry reported he recently attended the KDOT preconstruction meeting for the Woodlawn change order. Construction is anticipated to start in mid-April. Regarding 53rd Street, preparations are being made to start phase 1 of the sidewalk; he recently met with USD259 to discuss plans. Construction is expected to end around May. He also noted that the Recreation Center playground is now open and Spring Festival will be held on March 28th from 1-3 p.m.

X. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of A Resolution Authorizing the Governing Body of The City of Bel Aire, Kansas to Consent to the Subordination of the City's Taxable Industrial Revenue Bonds, Series 2025B (Waltons 53rd Holdings LLC), to a Mortgage; and to Authorize the Execution and Delivery of Any Other Documents to Effect the Actions Authorized in this Resolution.

MOTION: Councilmember Hamburg moved to adopt A Resolution Authorizing the Governing Body of The City of Bel Aire, Kansas to Consent to the Subordination of the City's Taxable Industrial Revenue Bonds, Series 2025B (Waltons 53rd Holdings LLC), to a Mortgage; and to Authorize the Execution and Delivery of Any Other Documents to Effect the Actions Authorized in this Resolution. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

B. Consideration of preparing a Concept Design for a Multi-Use Path.

MOTION: Councilmember Dehn moved to direct staff to proceed with preparation of a concept design for the alternate multi-use path alignment and to coordinate with WAMPO to confirm eligibility of the revised alignment under the existing grant award. Councilmember McIntosh seconded the motion. *Motion carried 5-0.*

C. Consideration of A Resolution Updating the City's Sidewalk Replacement Program.

MOTION: Councilmember McIntosh moved to Approve A Resolution Updating the City's Sidewalk Replacement Program and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

D. Consideration of an Amendment to the Development Agreement for Chapel Landing 5th Addition.

MOTION: Councilmember Proctor moved to Approve An Amendment to the Development Agreement for Chapel Landing 5th Addition as presented and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

E. Consideration of an Ordinance Amending Chapter 6, Article 4, Fireworks Code.

MOTION: Councilmember McIntosh moved to adopt An Ordinance Amending the Fireworks Code as Amended, the amendments are:

Section 6.4.5 (g) shall read “public displays shall conclude no later than 11:30 p.m.”;

Section 6.4.5 (j) the last sentence changed to “All trash and debris shall be removed no later than 10 pm on the day following the public display.”;

And all instances of the word “Fire Marshal” shall be spelled *Marshal* with one L.

Councilmember Davied seconded the motion. *Motion carried 5-0.*

F. Consideration of Municipal Water Conservation Plan 2026, recommended for approval by the Utility Advisory Committee.

MOTION: Councilmember Proctor moved to adopt the Municipal Water Conservation Plan 2026 as presented, authorize the Mayor to sign, and submit to the City of Wichita. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

EXECUTIVE SESSION

MOTION: Councilmember Hamburg 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, City Attorney and City Engineer. The meeting will be for a period of 45 minutes, and the open meeting will resume in City Council Chambers at 9:21 p.m. Councilmember Proctor seconded the motion. *Motion carried 5-0.*

The Council then recessed for Executive Session. At 9:22 p.m., Mayor Benage called the meeting back to order and stated that no binding action had been taken.

Councilmember Davied left the meeting at 9:20 p.m.

XI. CONSENT AGENDA

A. Approval of Minutes of the March 3, 2026 City Council meeting.

- B. Approve the application from Wholesale Fireworks, located at 6334 Crestmark Street, for 2026 permit for retail sales of fireworks, contingent upon approval by the Sedgwick County Fire Marshal.**
- C. Approve the application from Waz Up Fireworks, to be located at 9745 East 50th Street North, for 2026 permit for retail sales of fireworks contingent upon approval by the Sedgwick County Fire Marshal.**
- D. Approve the application from Shocker Fireworks, to be located at 4620 N Oliver, for 2026 permit for retail sales of fireworks contingent upon approval by the Sedgwick County Fire Marshal.**

MOTION: Councilmember Hamburg moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Proctor seconded the motion. *Motion carried 4-0.*

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

XIII. DISCUSSION AND FUTURE ISSUES

A. Discuss renewal of Solid Waste & Recycling Agreement

City Manager Ted Henry noted that the agreement will expire soon and is eligible for renewal. There was a general consensus among the Council that the City Manager should negotiate a new contract.

XIV. ADJOURNMENT

MOTION: Councilmember Dehn moved to adjourn. Councilmember McIntosh seconded the motion. *Motion carried 4-0.*