



**MINUTES**  
**CITY COUNCIL MEETING**  
7651 E. Central Park Ave, Bel Aire, KS  
August 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**

Present were Councilmembers Greg Davied, Tyler Dehn, Emily Hamburg, Tom Schmitz, and John Welch.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Finance Barry Smith, and City Clerk Melissa Krehbiel.

**III. OPENING PRAYER:** Father Terry Hedrick 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 July 16, 2024 City Council meeting.**

**B. Approval of the Mayor's Appointment of Jesse Miller to the Sedgwick County Fire District No. 1 Steering Committee to fill the unexpired term of Jim Benage. If approved, Jesse Miller's term will end on February 1, 2027.**

**MOTION:** Councilmember Welch 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. 24-14 in the amount of \$936,802.73.**

**MOTION:** Councilmember Dehn moved to approve Appropriations Ordinance No. 24-14. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

## VIII. CITY REQUESTED APPEARANCES

### A. Annual Audit Presentation – Tara Laughlin of Allen, Gibbs & Houlik, L.C. (AGH)

**MOTION:** Councilmember Hamburg moved to accept, receive and file the 2023 audit for the City of Bel Aire prepared by AGH. Councilmember Welch seconded the motion.  
*Motion carried 5-0.*

## IX. CITIZEN CONCERNS: No one spoke.

## X. REPORTS

### A. Council Member Reports

Councilmember Dehn briefly reported on the KDOT Corridor Management Plan on Wednesday in Kechi. Regarding upcoming events, the Bel Aire Chamber of Commerce will meet on Wednesday, and there will be a walking event at Eagle Lake Park on Saturday at 9 am. He thanked the Bel Aire Recreation staff for their work at the summer day camp and the community pool.

Councilmember Davied briefly reported on the latest Chisholm Creek Utility Authority (CCUA) meeting, and the recent CCUA cost of service agreement.

Councilmember Schmitz reported that he recently attended the Bel Aire chamber mixer, and served on the selection committee for the architecture and engineering firm for the public works facility.

Councilmember Hamburg reported she attended the latest park cleanup at Bel Aire Park. The next park cleanup will be at Eagle Lake on August 31<sup>st</sup> from 9 a.m. to 10 a.m.

### B. Mayor's Report

Mayor Benage briefly reported on the latest meetings of the WAMPO Policy Board, Sedgwick County Association of Cities (SCAC) and the Regional Economic Area Partnership (REAP). He also reported on the July 25<sup>th</sup> meeting of the Chisholm Creek Utility Authority (CCUA) and the recently signed cost of service agreement between Bel Aire and CCUA. Mayor Benage encouraged citizens to spread the word about the Stage 2 water restrictions currently being observed in Bel Aire due to the drought. He asked for prayers for rain and for the family of Wichita firefighter Ty Voth, who recently died while fighting a fire.

### C. City Attorney Report

City Attorney Maria Schrock briefly reported on the recent publications of the Standard Traffic Ordinance and the Uniform Public Offense Code. The Council may discuss these publications at an upcoming workshop.

**D. City Manager Report**

City Manager Ted Henry gave a brief report about current water use restrictions due to drought. The restrictions are based on the City of Bel Aire’s contract with Wichita. Many other local cities are also under the restrictions. Staff will continue to educate and communicate with Bel Aire citizens. Warning letters will be sent before any enforcement actions.

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

**A. Consideration of An Ordinance Changing The Zoning District Of Certain Lands Located In The City Of Bel Aire, Kansas, from the current R-4 zoning district classification to AG Agricultural Use (ZON-24-01).**

Applicant Kirby Smith spoke and stood for questions from the Council.

**MOTION:** Councilmember Hamburg moved to adopt An Ordinance Changing The Zoning District Of Certain Lands Located In The City Of Bel Aire, Kansas, Under The Authority Granted By The Zoning Regulations Of The City (ZON-24-01) and authorize the Mayor to sign. Councilmember Dehn seconded the motion.

Roll Call Vote:

Greg Davied – Nay	Tyler Dehn– Aye	Emily Hamburg– Aye
Tom Schmitz – Aye	John Welch– Nay	Jim Benage – Aye

**Motion carried 4-2**, with Councilmembers Davied and Welch voting against the motion.

**B. Consideration of An Ordinance Changing The Zoning District Of Certain Lands Located In The City Of Bel Aire, Kansas Under The Authority Granted By The Zoning Regulations Of The City (Sunflower Commerce Park 4th, PUD-24-01).**

Kurt Hershey, Tessere, represented the applicant and stood for questions.

**MOTION:** Councilmember Davied moved to adopt the Ordinance An Ordinance Changing The Zoning District Of Certain Lands Located In The City Of Bel Aire, Kansas Under The Authority Granted By The Zoning Regulations Of The City (Sunflower Commerce Park 4th, PUD-24-01) and authorize the Mayor to sign. Councilmember Dehn seconded the motion.

Roll Call Vote:

Greg Davied – Aye	Tyler Dehn– Aye	Emily Hamburg– Aye
Tom Schmitz – Aye	John Welch– Aye	Jim Benage – Aye

**Motion carried 6-0.**

**C. Consideration of the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Sunflower Commerce Park 4th.**

**MOTION:** Councilmember Dehn moved to accept the dedications within the Final Plat for Sunflower Commerce Park 4th and authorize all required signatures. Councilmember Davied seconded the motion. **Motion carried 5-0.**

**D. Consideration of a Planned Unit Development Agreement for Sunflower Commerce Park 4th.**

**MOTION:** Councilmember Welch moved to accept the Planned Unit Development Agreement for Sunflower Commerce Park 4th as amended to change “HOA” to “Business Owner’s Association” wherever it occurs in the document and authorize all required signatures. Councilmember Davied seconded the motion. *Motion carried 5-0.*

**E. Consideration of selecting an Architecture and Engineering Firm for Utilities and Public Works Facility project. Four firms responded to a Request for Proposal: Gravity Works Architecture, LK Architecture, Schaefer Architecture, and Tessere.**

**MOTION:** Councilmember Dehn moved to accept the Proposal from Schaefer Architecture and authorize staff to negotiate an agreement. Councilmember Schmitz seconded the motion. *Motion carried 5-0.*

**F. Consideration of an Agreement with Professional Engineering Consultants (PEC) for owner representation/ project management services for the City of Bel Aire New Public Works Facility Project (Work Order No. 24-08, PEC Master Services Agreement).**

**MOTION:** Councilmember Davied moved to approve Work Order No 24-08 with PEC for owner representation/ project management services for the City of Bel Aire New Public Works Facility Project in the amount not to exceed 4% of the total cost expectation of \$6,704,710.00 and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

**XII. EXECUTIVE SESSION**

**MOTION:** Councilmember Welch moved to take a 5-minute recess. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**A. MOTION:** Councilmember Welch moved to recess into executive session to discuss with legal counsel and receive legal advice related to the Woodlawn Roadway Project. The discussion will be 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, City Attorney, City Engineer, and Neil Gosch. The meeting will be for a period of 20 minutes, and the open meeting will resume in City Council Chambers at 8:57 p.m. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

The Council recessed into Executive Session. At 9:00 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action was taken.

**MOTION:** Councilmember Welch moved to extend the Executive Session for 10 minutes and the open meeting will resume in City Council Chambers at 9:12 p.m. Councilmember Davied seconded the motion. *Motion carried 5-0.*

The Council recessed into Executive Session. At 9:12 p.m. Mayor Benage called the meeting to order in open session and stated that no binding action was taken.

### **XIII. DISCUSSION AND FUTURE ISSUES**

#### **A. City Council Work Session - August 13, 2024 at 6:30 p.m.?**

The Council briefly discussed the agenda for the workshop on August 13<sup>th</sup> at 6:30 p.m.

### **XIV. ADJOURNMENT**

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