



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
December 19, 2023 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 Greg Davied, Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch.

Also present were City Manager Ty Lasher, City Attorney Maria Schrock, Assistant City Manager Ted Henry, City Engineer Anne Stephens, City Clerk Melissa Krehbiel, and Bond Counsel Kevin Cowan of Gilmore and 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. CONSENT AGENDA

- A. Approval of Minutes of the December 5, 2023 City Council meeting.**
- B. Approve an application by DG Retail, LLC (dba Dollar General) to renew a license to sell cereal malt beverages in original and unopened containers and not for consumption on the premises at 4554 Woodlawn Ave, Bel Aire, KS.**
- C. Approve an application by Seiko, LLC (dba Mirai Ramen & Sushi) to renew a license to sell cereal malt beverages for consumption on the premises at 6254 E 37th St N Ste 180, Bel Aire, KS.**

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 23-23 in the amount of \$337,369.43.**

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance 23-23. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES: Ken Lee with Garver – Update on 53rd Street.

Ken Lee, Garver, provided a brief update on preparations for several street projects including Cozy Drive, Aurora Park, 53rd Street and 45th Street.

IX. CITIZEN CONCERNS: No one spoke.

X. REPORTS

A. Council Member Reports

Councilmember Hamburg reported that she attended the latest meetings of the Bel Aire Lions Club and the Chisholm Creek Utility Authority (CCUA).

Councilmember Welch wished everyone happy holidays.

Councilmember Smith briefly reported on the latest meetings of CCUA and the Regional Economic Area Partnership (REAP).

Councilmember Davied briefly reported on the latest CCUA meeting.

Councilmember Dehn briefly reported on an informational meeting he attended at the Rec Center concerning Walk-Bike-Roll and developing walking and biking routes in Bel Aire.

B. Mayor's Report

Mayor Benage briefly reported on the latest meetings of the WAMPO TPB and CCUA. Mayor Benage was elected Chairperson of CCUA for 2024. He also attended a lunch meeting with a consulting firm for WAMPO on the 12th, regarding a bus system for Wichita area cities. Yesterday, Kansas Department of Transportation Secretary Reed personally visited the Woodlawn road project site. This morning, Mayor Benage and City Manager Ty Lasher met with Secretary Reed. KDOT is providing technical assistance to find a solution for the project. Mayor Benage asked residents to continue to support businesses on Woodlawn and wished everyone a blessed Christmas.

C. City Attorney Report

City Attorney Maria Schrock briefly reported on a training workshop that the Planning Commission held yesterday.

D. City Manager Report

City Manager Ty Lasher briefly reported on plans currently being drafted by PEC and City staff to be submitted to WAMPO for funding in 2024. These include many road projects and a walking/biking path. He also reported that City offices will be closed for upcoming holidays on December 25th, December 26th, and January 1st.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of An Ordinance Authorizing The City Of Bel Aire, Kansas To Issue Its Taxable Industrial Revenue Bonds, Series 2023 (Bel Aire Secure Storage, LLC) For The Purpose Of Acquiring, Equipping And Constructing A Storage Facility; And Authorizing Other Related Documents And Actions.

MOTION: Councilmember Smith moved to approve An Ordinance Authorizing The City Of Bel Aire, Kansas To Issue Its Taxable Industrial Revenue Bonds, Series 2023 (Bel Aire Secure Storage, LLC) For The Purpose Of Acquiring, Equipping And Constructing A Storage Facility; And Authorizing Other Related Documents And Actions and authorize the Mayor to sign. Councilmember Davied seconded the motion. Roll Call Vote:

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

Motion carried 5-0.

B. Consideration of An Ordinance which sets forth uniform requirements for Users of the Sanitary Sewer Conveyance System for the City of Bel Aire and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et 15 seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations 16 [CFR] Part 403)

Consultant Rebecca Lewis, Burns and McDonnell, stood for questions from the Council regarding the proposed Ordinance. Mayor Benage commented that the next step will be training and communicating, particularly with industry, about the new ordinance so they are not surprised by it.

MOTION: Councilmember Hamburg moved to adopt An Ordinance which sets forth uniform requirements for Users of the Sanitary Sewer Conveyance System for the City of Bel Aire and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et 15 seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations 16 [CFR] Part 403) and authorize the Mayor to sign. Councilmember Smith seconded the motion.

Roll Call Vote:

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

Motion carried 5-0.

C. Consideration of an Agreement for Professional Services with Certified Engineering Design for the Design and Construction Staking services for the Bel Aire Lakes Development in the amount of \$284,975.00.

MOTION: Councilmember Davied moved to approve an Agreement for Professional Services with Certified Engineering Design for Design and Construction Staking services for the Bel Aire Lakes in the amount of \$284,975.00 and authorize the Mayor to sign. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

D. Consideration of accepting a bid for Sunflower Commerce Park 3rd Infrastructure. Four bids were received:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate Bid</u>
<i>Engineer's Estimate</i>	<i>\$1,214,617.00</i>	<i>\$1,194,796.00</i>
Dondlinger	\$1,057,755.85	\$1,045,863.25
McCullough	\$1,182,985.85	\$1,150,680.85
Mies	\$1,152,216.50	\$1,139,002.50
Nowak	\$1,210,918.59	\$1,245,208.92

MOTION: Councilmember Welch moved to accept the bid from Dondlinger in the amount of \$1,057,755.85 for the Sunflower Commerce Park 3rd Infrastructure Project and authorize the Mayor to sign all related documents. Councilmember Smith seconded the motion. ***Motion carried 5-0.***

E. Consideration of An Agreement For Senior Centers By And Between Sedgwick County, Kansas and City Of Bel Aire.

City Attorney Maria Schrock noted that the paragraph regarding gratuities has been revised, in keeping with agreements approved by Council in recent years.

MOTION: Councilmember Smith moved to approve An Agreement For Senior Centers By And Between Sedgwick County, Kansas and City Of Bel Aire. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

F. Consideration of accepting a bid to purchase a new Enterprise Resource Planning (ERP) system. Four bids were received, Two bids meet RFP requirements:

<u>One-Time Fee and Year 1</u>	<u>Total</u>
Tyler Technologies	\$304,178
Caselle	\$141,477
<u>Annual Subscription</u>	<u>Total</u>
Tyler Technologies	\$107,845
Caselle (with 3rd party Recreation)	\$77,212
<u>Current Spend</u>	\$69,383
<i>Current Spend (with CC Fees Included)</i>	<i>\$124,279</i>

MOTION: Councilmember Smith moved to accept the bid from Tyler Technologies as presented by the Assistant City Manager, and subject to staff and the Mayor's review, for the purchase of a new Enterprise Resource Planning (ERP) system and authorize the Mayor to sign all related documents. Councilmember Welch seconded the motion. ***Motion carried 5-0.***

XII. EXECUTIVE SESSION

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

The Council then held a brief recess.

A. Executive Session

MOTION: Councilmember Smith 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 45 minutes, and the open meeting will resume in City Council Chambers at 9:17 p.m. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 9:17 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

B. Executive Session

MOTION: Councilmember Hamburg 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, 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 9:33 p.m. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

The Council then held an executive session. At 9:35 p.m., Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

XIII. DISCUSSION AND FUTURE ISSUES

The council discussed canceling the January 2nd City Council meeting, as there is unlikely to be any business requiring Council action at that time.

MOTION: Councilmember Hamburg moved to cancel the regularly scheduled meeting on January 2, 2024. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

XIV. ADJOURNMENT

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

The meeting was adjourned at 9:40 p.m.