



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
September 01, 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 Greg Davied, Tyler Dehn, Emily Hamburg, Brandon McIntosh, and Mike Proctor were present. No one was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens, Director of Finance Barry Smith, Community Development Director Paula Downs, Chief of Police Darrell Atteberry, and City Clerk Melissa Krehbiel. City Bond Counsel Kevin Cowan of Gilmore and Bell, PA., arrived after Agenda Item VIII. A.

III. OPENING PRAYER

A. Michael Wearda 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 August 18, 2026 City Council meeting.**
- B. **Accept petitions for Phase 2 Paving and Drainage, Sanitary Sewer and Waterline Improvements to serve Bel Aire Lakes Addition.**
- C. **Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Paving and Drainage Improvements/Bel Aire Lakes Addition Phase 2).**
- D. **Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in**

Accordance with Such Findings (Sanitary Sewer Improvements/Bel Aire Lakes Addition Phase 2).

- E. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Water Line Improvements/Bel Aire Lakes Addition Phase 2).**
- F. Accept petitions for Phase 3 Paving and Drainage, Sanitary Sewer, and Waterline Improvements to serve Bel Aire Lakes Addition.**
- G. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Paving and Drainage Improvements/Bel Aire Lakes Addition Phase 3).**
- H. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Sanitary Sewer Improvements/Bel Aire Lakes Addition Phase 3).**
- I. Adopt A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect Thereto; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Water Line Improvements/Bel Aire Lakes Addition Phase 3).**

Councilmember McIntosh requested clarification on specific language in the petitions related to driveways. Mayor Benage stated that the vote on the consent agenda could wait until Bond Counsel Kevin Cowan was present to answer the question. Kevin Cowan arrived after Agenda Item VIII. A. City Requested Appearances. Mr. Cowan explained that the driveways are not included in the assessments and driveway costs would be paid separately by the property owner.

MOTION: Councilmember McIntosh moved 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. 26-16 in the amount of \$762,943.86.**

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance No. 26-16. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

VIII. CITY REQUESTED APPEARANCES

A. Presentation of Promotion by Chief Darrell Atteberry

Chief of Police Darrell Atteberry presented promotions to two officers. Lieutenant Foxx was promoted to the rank of Captain. Officer Trumbull was promoted to Detective.

B. Tara Laughlin, Allen, Gibbs & Houlik, L.C - Annual Audit Presentation

Tara Laughlin presented the required communications related to the City's FY2025 Audit; these documents were included in the agenda packet for the September 1, 2026 City Council meeting.

C. Presentation on Woodlawn Traffic Control (Robert Miller, PEC)

Robert Miller, PEC, presented information about traffic controls on the Woodlawn construction project.

IX. PUBLIC HEARING

A. Public Hearing regarding proposed property tax levy in excess of the Revenue Neutral Rate and adoption of Revenue Neutral Rate Resolution.

Barry Smith, Director of Finance, gave a short presentation and stood for questions from the Council.

Following the presentation, Mayor Benage opened the public hearing and stated that anyone who wished to speak may approach the podium to speak. No one spoke.

MOTION: Councilmember Dehn moved to approve A Resolution of The City of Bel Aire, Kansas to Levy a Property Tax Rate Exceeding the Revenue Neutral Rate for the 2027 budget and authorize the Mayor to sign. Councilmember Davied seconded the motion.

Roll Call Vote:

Greg Davied - Aye Tyler Dehn - Aye Emily Hamburg - Aye

Brandon McIntosh - Aye Mike Proctor - Aye

Motion carried 5-0.

MOTION: Councilmember Hamburg moved to close the Public Hearing. Councilmember Proctor seconded the motion. ***Motion carried 5-0.***

B. Public Hearing regarding the 2027 City of Bel Aire Budget

Barry Smith, Director of Finance, gave a short presentation and stood for questions from the Council.

Mayor Benage opened the Public Hearing opened the public hearing and stated that anyone who wished to speak may approach the podium to speak. No one spoke.

MOTION: Councilmember McIntosh moved to close the Public Hearing. Councilmember Proctor seconded the motion. ***Motion carried 5-0.***

X. CITIZEN CONCERNS: No one spoke.

XI. REPORTS

A. Council Member Reports

Councilmember Hamburg reported on latest meeting of the Chisholm Creek Utility Authority (CCUA).

Councilmember Dehn reported on the latest meeting of the K-254 Corridor Development Association.

B. Mayor's Report

Mayor Benage provided a brief report several meetings he attended: the committee meeting for municipal policy held by the League of Kansas Municipalities, the August 21st RNR hearing for the South Central Kansas Library Systems (SCKLS), the K-254 Corridor Development Association meeting, the Bel Aire Tree Board meeting, the August 27th local water consult, and the monthly meeting of the CCUA. He reported that the Sedgwick County advisory board that previously met at City Hall will now meet at the new election office.

C. City Attorney Report

City Attorney Maria Schrock reported on recent KOMA violations by other cities reported by the Kansas Attorney General's office.

D. City Manager Report

City Manager Ted Henry congratulated Captain Foxx and Detective Trumbull on their promotions. He noted that the four-way stop was installed at 53rd and Oliver on Monday. He also noted the retirement of Glen Thompson from the Public Works Department after 26 years of service. He reminded the Council about upcoming events: the Bel Aire Chamber will meet at Walton's facility this Thursday, the memorial tree dedication for Art Tenbrink will be held on September 12th, and City offices will be closed for Labor Day on Monday, September 7th.

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of Approving the 2027 City of Bel Aire Budget.

MOTION: Councilmember Hamburg moved to approve the 2027 City of Bel Aire Budget as presented and authorize all required signatures. Councilmember McIntosh seconded the motion.

Roll Call Vote:

Greg Davied – Nay

Tyler Dehn - Nay

Emily Hamburg - Aye

Brandon McIntosh - Aye

Mike Proctor – Aye

Motion carried 3-2.

B. Consideration of Actions related to Special Assessments.

MOTION: Councilmember Davied moved that the governing body take the following actions:

1. Approve the Statement of Final Costs, Assessment Roll Certification, Notice of Public Hearing, and Form of Notice of Hearing and Statement of Cost Proposed to be Assessed (Exhibits A, B, C, & D) as modified with additional City contribution of \$95,866.19 [for Project No. 3 - Aurora Park Addition];
2. Establish September 15, 2026 at 7:00 p.m., or as soon thereafter as may be heard, to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Authorize the publication by the City Clerk of Exhibit C (Notice of Public Hearing) in the official City newspaper, not less than 10 days prior to such public meeting date;
4. Mail Exhibit D (Form of Notice of Hearing and Statement of Cost Proposed to be Assessed) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Exhibit C; and
5. File each of said documents of record in the office of the City Clerk and make the same available for public inspection.

Councilmember Dehn seconded the motion. *Motion carried 4-1*, with Councilmember Hamburg voting against the motion.

C. Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending Approval Of A Zone Change Request From Neighborhood Commercial Office and Retail District (C-1) to Planned Unit Development Commercial Office and Retail District (C-2), generally located at the Northwest corner of East 53rd Street and North Webb Road, Bel Aire, Sedgwick County, Kansas.

Mayor Benage announced the agenda item and asked the Council members if they wished to declare any conflict of interest. No conflict of interest was disclosed by any Councilmember.

Mayor Benage asked if Councilmembers wished to disclose any communications they have had regarding this matter. Mayor Jim Benage shared that he was carbon copied on an email from a citizen, Mr. Mijares, to Paula Downs, Director of Community Development. He was also carbon copied on Paula's response to Mr. Mijares, which has been included in the City Council's information packet for this meeting. Councilmember Hamburg disclosed that she did receive a Facebook communication from a resident in the area who thinks it would be beneficial to have Casey's in that area.

Mayor Benage then asked if City staff had received any protest petitions related to this case. City staff responded that they have not received any protest petitions.

Mayor Benage then inquired if all Councilmember had received the unapproved minutes of the August 2026 Planning Commission meeting. All Councilmembers confirmed that they had received the minutes.

Paula Downs, Director of Community Development provided the staff report, referencing the written staff report in the meeting agenda packet.

Councilmembers briefly discussed the height of the proposed sign in relation to the City sign code. Councilmember Davied requested clarification on where trees will be planted on the lot. Paula Downs responded that the sign height would be typical for a convenience store on a major intersection and perimeter landscaping will only be required around the parcel that will be developed; the code does consider retaining existing trees where possible. Existing trees are located on the part of the parcel that the applicant intends to split and sell.

Councilmember Dehn noted that the distance across the pond to the residential area seems like a good buffer to the residential area. The location seems like a place where someone would put a convenience station. Councilmember Hamburg asked questions about fuel tank concerns, and the issue of being a 24-hour convenience store. Paula Downs stated that there is no prohibition in City Code regarding 24-hour operating hours and it wasn't addressed in the Planning Commission meeting. Fuel tanks are not regulated by the City; they are regulated and inspected by other authorities.

City staff confirmed that no additional written communications were received regarding this matter.

Jeff Laubach, civil engineer for SBB Engineering, 101 S Kansas, Topeka, Ks, spoke on behalf of the applicant and answered questions from the Council. He said it is not likely for the Webb Road store to be a 24-hour store; another store nearby on the highway near Kechi will be constructed soon. However, Casey's would not want any restrictions on hours. Casey's intends to split the lot and sell the portion that is not being used for the store; he does not know how the other portion will be developed by future owners.

Mayor Benage then opened the public comment section. No one spoke. Mayor Benage requested discussion or a motion from the council.

Councilmember Dehn stated that considering the City's long-term development plan, comprehensive plan, and the character of the location, he will be in support of the request.

Councilmember Davied stated that he agrees with Planning Commission's recommendation. He also agrees with staff's response to the email from the citizen.

Councilmember Proctor stated that city staff and Planning Commission did a good job of reviewing the case. There's a lot of commercial traffic in the area.

Councilmember McIntosh stated he agrees with the Planning Commission's deliberation and their findings of fact and their recommendation.

Councilmember Hamburg stated she agrees with the Planning Commission's recommendation and the staff report; the proposed development fits with the area's commercial development and the City's comprehensive plan.

Mayor Benage stated that he likes this proposed zoning because he thinks this is a good buffer. There are large buildings across the street. It is a good buffer between those buildings and the residential neighborhoods to the west and also to the south. He noted that the property has never been developed. For those reasons he supports the request.

MOTION: Councilmember Dehn moved to approve the findings of fact and recommendation of the Planning Commission for PUD-26-03, Adopt the Ordinance as Presented, and authorize the Mayor to sign. Councilmember Davied seconded the motion.

Roll Call Vote:

Greg Davied – Aye Tyler Dehn – Aye Emily Hamburg – Aye
Brandon McIntosh – Aye Mike Proctor – Aye Jim Benage – Aye
Motion carried 6-0.

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

Following a brief recess, Mayor Benage called the meeting back to order in open session.

D. Consideration of Bids and Contract for Janitorial Services.

MOTION: Councilmember McIntosh moved to approve the bid from Harris Facility Solutions in an amount not to exceed \$72,650 per year for a three year contract term, approve the contract as presented; and authorize the Mayor and city staff to sign all necessary documents. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

E. Consideration of an Agreement with Certified Engineering Design, PA (CED) for Professional Services related to Bel Aire Lakes Addition, Phase 2 and Phase 3, Water, Sanitary Sewer, Paving and Drainage Project.

MOTION: Councilmember Proctor moved to approve the contract with Certified Engineering Design, PA (CED) for Bel Aire Lakes Addition, Phase 2 and Phase 3, Water, Sanitary Sewer, Paving and Drainage Project As Presented at an amount not to exceed \$454,124 and authorize the Mayor to sign. Councilmember Dehn seconded the motion. ***Motion carried 5-0.***

F. Consideration of an Ordinance Establishing a City Records Management Program.

MOTION: Councilmember Hamburg moved to approve an Ordinance establishing a City Records Management Program As Presented and authorize the Mayor to sign. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

XIII. EXECUTIVE SESSION

A. No Executive Session

XIV. DISCUSSION AND FUTURE ISSUES

A. City Council Workshop - September 8, 2026 at 7 p.m.

City Manager Ted Henry stated that the workshop will be held with the Planning Commission in the Community Room.

XV. ADJOURNMENT

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