



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
March 19, 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, 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, Recreation Director Brian Hayes, Ken Lee, P.E. of Garver, and Bond Counsel Kevin Cowan of Gilmore and Bell.

III. OPENING PRAYER: 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.

MOTION: Councilmember Davied moved to move Agenda Item XI. D. after Executive Session A. Councilmember Welch seconded the motion. *Motion carried 5-0.*

VI. CONSENT AGENDA

A. Approval of Minutes of the March 5, 2024 City Council meeting.

MOTION: Councilmember Welch moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-05 in the amount of \$471,383.25.

MOTION: Councilmember Smith moved to approve Appropriations Ordinance No. 24-05. Councilmember Davied seconded the motion. *Motion carried 5-0.*

VIII. CITY REQUESTED APPEARANCES

A. Special Presentation to Ty Lasher

Mayor Benage recognized City Manager Ty Lasher who is retiring. He reviewed highlights of Ty's leadership and then presented a plaque to Mr. Lasher.

IX. CITIZEN CONCERNS

Dave Landoll, 4743 N Krueger, spoke about his concerns about political correctness and government.

Rosemary Wood, 4700 N Hillcrest, spoke about ongoing code enforcement issues with her neighbor.

Kelly Wood, 4700 N Hillcrest, spoke about code enforcement issues with his neighbor, and his concerns about protecting property values for the neighborhood.

X. REPORTS

A. Council Member Reports

Councilmember Dehn reported on the most recent meeting of the K-254 Corridor Development Association where City Manager Ty Lasher was honored. He reminded everyone about upcoming events this week including Spring Fest, a Bel Aire Bike-Walk event, and the Sedgwick County Emergency Preparedness class.

Councilmember Hamburg briefly reported on the Bel Aire Lions Club meeting last week.

B. Mayor's Report

Mayor Benage briefly reported on the most recent meetings of the Sedgwick County Association of Cities, the Bel Aire Utility Advisory Committee (UAC), and the K-254 Corridor Development Association. He also attended the St Patrick's Day Parade sponsored by St. Patrick's Church. He reminded everyone that Spring Fest will be held at the Bel Aire Recreation Center from 1 pm to 3 pm on Saturday.

C. City Attorney Report

City Attorney Maria Schrock reported on a recent staff training on the new Sewer Use Ordinance.

D. City Manager Report

City Manager Lasher spoke about his 36 years of experience in public service, including the challenges and opportunities related to the City's growth. He will be retiring at the end of this month. He thanked his family, the Council, and the community for their support.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration of a Letter of Intent to Issue IRB's and Provide Other Incentives for Construction of a Warehouse, Distribution, Office, and Retail Facility (Walton's 53rd Holdings, LLC).**

MOTION: Councilmember Smith moved to approve a Letter of Intent to Issue IRB's and Provide Other Incentives for Construction of a Warehouse, Distribution, Office, and Retail Facility (Walton's 53rd Holdings, LLC) and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

- B. Consideration of a Notice of Hearing regarding Issuance of IRB's and Other Incentives for Construction of a Warehouse, Distribution, Office, and Retail Facility (Walton's 53rd Holdings, LLC).**

MOTION: Councilmember Dehn moved to approve a Notice of Hearing regarding Issuance of IRB's and Other Incentives for Construction of a Warehouse, Distribution, Office, and Retail Facility (Walton's 53rd Holdings, LLC) and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

- C. Consideration of a Contracting Agreement of Additional Work / Change Order from Mid-West Plastering, LLC in the amount of \$19,740.00 for repairs to Central Park Community Pool.**

MOTION: Councilmember Smith moved to accept the Contracting Agreement of Additional Work / Change Order in the amount of \$19,740.00 from Mid-West Plastering, LLC for repairs to Central Park Community Pool and authorize the Mayor to sign. Councilmember Hamburg seconded the motion. *Motion carried 5-0.*

- D. Consideration of the proposal from PEC in the amount of \$19,000 for additional geotechnical investigation and monitoring wells for the Woodlawn Project.**

This item was considered after Agenda Item XII. A. (Executive Session).

- E. Consideration of the Supplemental Agreement with Garver for Construction Staking and Construction Support Services for the 53rd Street, Oliver to Woodlawn project in the amount Not to Exceed \$70,100.**

MOTION: Councilmember Davied moved to accept the Supplemental Agreement with Garver for the Construction Staking and Construction Support Services for 53rd Street from Oliver to Woodlawn in the amount Not to Exceed \$70,100 and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

F. Consideration of an Agreement for Construction Inspection with TranSystems for 53rd Street Reconstruction.

MOTION: Councilmember Davied moved to approve the agreement Agreement for Construction Inspection with TranSystems as presented for 53rd Street Reconstruction and authorize the Mayor to sign. Councilmember Hamburg seconded the motion.
Motion carried 5-0.

G. Consideration of A First Amendment to Employment Agreement of City Attorney.

MOTION: Councilmember Hamburg moved to approve First Amendment to Employment Agreement of City Attorney and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 5-0.*

XII. EXECUTIVE SESSION

- A. MOTION:** Councilmember Welch 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 30 minutes, and the open meeting will resume in City Council Chambers at 8:43 p.m. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

The Council then recessed into Executive Session. At 8:44 p.m. Mayor Benage called the meeting back to order and stated that no binding action had been taken.

Consideration of the proposal from PEC in the amount of \$19,000 for additional geotechnical investigation and monitoring wells for the Woodlawn Project.

MOTION: Councilmember Welch moved to approve the quote from PEC in the amount of \$19,000.00 for additional geotechnical investigation and monitoring wells for the Woodlawn Project and authorize the Mayor to sign all related documents. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

- B. MOTION:** Councilmember Smith moved to recess into executive session to discuss 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. The Executive Session will include the City Manager, the Assistant City Manager, and Attorneys for the City. The Executive Session will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:03 p.m. Councilmember Welch seconded the motion. *Motion carried 5-0.*

The Council then recessed into Executive Session. At 9:03 p.m. Mayor Benage called the meeting back to order and stated that no binding action had been taken.

XIII. DISCUSSION AND FUTURE ISSUES: No other issues were discussed.

XIV. ADJOURNMENT

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