



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**August 20, 2024 7:00 PM**



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**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, 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 Andrew Labenz 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 6, 2024 City Council meeting.**
- B. Approve the use of the Central Park Sidewalk Fund (within the Capital Improvement Reserve Fund) to allocate \$16,147 for sidewalk installations in Central Park.**
- C. Accept a Revised Phase 1 Sanitary Sewer Petition for Chapel Landing 5th.**
- 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/Chapel Landing 5th Addition-Phase 1); And Amending, Restating And Repealing Resolution No. R-22-35.**

**MOTION:** Councilmember Welch 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. 24-15 in the amount of \$397,591.30.**

**MOTION:** Councilmember Dehn moved to approve Appropriations Ordinance No. 24-15. Councilmember Davied seconded the motion. *Motion carried 5-0.*

## **VIII. CITY REQUESTED APPEARANCES**

### **A. Aaron Maxwell, President - Bel Aire Chamber of Commerce Report**

Mr. Maxwell gave a quarterly report on the Chamber's activities and stood for questions.

## **IX. CITIZEN CONCERNS**

Bruce Roepke, 4300 N Rushwood Circle, spoke about the "Live Vac" device for choking, and the Great Cycle Challenge fundraiser.

## **X. REPORTS**

### **A. Council Member Reports**

Councilmember Hamburg reported that the next park cleanup will be at Eagle Lake Park on Saturday, August 31<sup>st</sup> from 9 a.m. to 10 a.m.; citizen participation may be credited toward an annual report to KDHE regarding pollution prevention. She encouraged citizens to keep up the good work at lowering water usage: a recent report from Public Works showed a decrease in water usage.

Councilmember Dehn reported on the most recent meeting of the K-254 Strategic Planning Committee. He noted that there have been recent traffic problems with Isely Elementary's new pick-up/drop-off system and he urged drivers to be extra careful of busses, and pedestrian and bicycle traffic.

### **B. Mayor's Report**

Mayor Benage met with several local city officials (both elected and non-elected personnel) to review the 2025 Legislative Agenda from the League of Kansas Municipalities (LKM). He also reported on the most recent meeting of the WAMPO Transportation Policy Body (TPB). WAMPO needs volunteers for a bicycle and pedestrian count: interested individuals should contact Dora Gallow at WAMPO or see their website at [www.WAMPO.org](http://www.WAMPO.org). Mayor Benage noted the passing of local retired pastor John Barkett, shared some memories of Pastor Barkett, and asked for prayers for him and his family. The City is currently in need of volunteer clergy to provide prayers at City Council meetings: interested individuals should contact the City Clerk.

### **C. City Attorney Report**

City Attorney Maria Schrock briefly reported on the 2024 Kansas Environmental Conference on August 6th and on the recent ballot question regarding the City's Charter Ordinance No 25. A majority of votes were cast in favor of the Charter Ordinance, which exempts the City from

Kansas statute relating to the official City newspaper. A Resolution will be presented to City Council in September that will formally designate the City’s website as the official publication.

**D. City Manager Report**

City Manager Ted Henry reported on the proposed mill levy and briefly reviewed recent data from City services including building permits, code enforcement, utility billing, and recreation programs. He noted that National Night Out will be hosted by the Police Department at City Hall on September 7th from 4 p.m. to 8 p.m.

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

**A. Consideration of approving the 2025 City of Bel Aire notice of hearing to exceed the revenue neutral rate and budget hearing for publication and establish a public hearing to exceed the revenue neutral rate and a public hearing on the budget at the Regular City Council meeting on September 3rd, 2024 at 7:00 p.m.**

Director of Finance Barry Smith noted that an error had been amended to reflect interest payments on Bonds.

**MOTION:** Councilmember Davied moved to approve the City of Bel Aire 2025 notice to exceed the revenue neutral rate and budget hearing as amended for publication and schedule a public hearing to exceed the revenue neutral rate and a public hearing on the budget at the Regular City Council meeting on September 3rd, 2024 at 7:00 p.m. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**B. Consideration of an Agreement with Schaefer Architecture for owner architectural and engineering services for the City of Bel Aire New Public Works Facility Project.**

**MOTION:** Councilmember Hamburg moved to approve the agreement with Schaefer Architecture for owner architectural and engineering services for the City of Bel Aire New Public Works Facility Project, with a total cost not to exceed 6.5% of the anticipated project cost range of \$5,000,000 to \$7,990,000. Also, to approve the additional services listed inside the agreement for survey, civil engineering, and landscape design with costs not to exceed \$55,500 and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 5-0.*

**C. Consideration of accepting a bid for the Water and Sanitary Sewer Improvements for Chapel Landing 5th. Four bids were received:**

	<u>Engineer's Est.</u>	<u>Dondlinger</u>	<u>Mies</u>	<u>Nowak</u>	<u>Wildcat</u>
<u>Water</u>	\$270,180.00	\$250,433.00	\$268,256.00	\$251,702.50	\$296,349.70
<u>Sewer</u>	\$340,811.50	\$433,624.90	\$416,515.90	\$483,876.90	\$576,963.10
<u>Total</u>	\$610,991.50	\$684,057.90	\$684,771.90	\$735,579.40	\$873,312.80

**MOTION:** Councilmember Davied moved to accept the bid from Dondlinger in the amount of \$684,057.90 for the Water and Sanitary Sewer Improvements for Chapel Landing 5th and authorize the Mayor to sign all related documents. Councilmember

Schmitz seconded the motion. ***Motion carried 4-0-1*** with Councilmember Dehn abstaining from the vote.

**D. Consideration of accepting a bid for 2024 Pavement Marking Project. One bid was received:**

<u>Company</u>	<u>Total</u>
Cillessen	\$84,561.30
<i>Engineer's Estimate</i>	<i>\$156,459.60</i>

**MOTION:** Councilmember Dehn moved to accept the bid from Cillessen in the amount of \$84,561.30 for Pavement Marking and authorize the Mayor to sign all related documents. Councilmember Hamburg seconded the motion. ***Motion carried 5-0.***

**E. Consideration of Selecting a Proposal for Sanitary Sewer Service Installation in Bristol Hollows Phase 1. Three proposals were received:**

<u>Company</u>	<u>Total</u>
Utility Solutions	\$10,753.20
Mies	\$53,235.00
McCullough	\$20,528.00

**MOTION:** Councilmember Welch moved to accept the Proposal from Utility Solutions in the amount not to exceed \$10,753.20 for Sanitary Sewer Service Installation in Bristol Hollows Phase 1 and authorize the Mayor to sign all related documents. Councilmember Schmitz seconded the motion. ***Motion carried 5-0.***

**F. Consideration of an Ordinance amending Ordinance No. 387 Water Drought/Emergency for the purpose of updating mandatory water restrictions and stage triggers.**

**MOTION:** Councilmember Hamburg moved to approve the ordinance amending Ordinance No. 387 and authorize the Mayor to sign. Councilmember Davied seconded the motion. ***Motion carried 5-0.***

**G. Consideration of an updated Municipal Water Conservation Plan for the City of Bel Aire, with proposed revisions from Bel Aire Staff and Utility Advisory Committee. It has been submitted to the City of Wichita for approval, in accordance with the Wholesale Water Sales Agreement of 11/20/07.**

**MOTION:** Councilmember Welch moved to adopt the Municipal Water Conservation Plan, updated: August 14, 2024 as presented, authorize the Mayor to sign, and City Attorney to submit this plan to the City of Wichita. Councilmember Davied seconded the motion. ***Motion carried 4-1*** with Councilmember Schmitz voting against the motion.

**H. Consideration of electing three (3) voting delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on Saturday, October 12, 2024.**

**MOTION:** Councilmember Welch moved to elect Ted Henry, Greg Davied, and Jim Benage as Bel Aire Voting Delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on Saturday, October 12, 2024. Councilmember Dehn seconded the motion. *Motion carried 5-0.*

**I. Consideration of electing three (3) alternate voting delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on Saturday, October 12, 2024.**

**MOTION:** Councilmember Welch moved to elect Barry Smith and Tom Schmitz as Bel Aire Alternate Voting Delegates to the League of Kansas Municipalities Annual Business Meeting and Convention of Voting Delegates on Saturday, October 12, 2024. Councilmember Davied seconded the motion. *Motion carried 5-0.*

**XII. EXECUTIVE SESSION**

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

**Executive Session: Legal advice related to the Woodlawn Roadway Project**

**MOTION:** Councilmember Dehn 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, Neil Gosch, and Mike Kelsey. The meeting will be for a period of 30 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 held an executive session. At 9:04 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

**MOTION:** Councilmember Hamburg moved to extend the executive session for 15 minutes and reconvene in Council Chambers at 9:20 p.m. Councilmember Davied seconded the motion. *Motion carried 5-0.*

The Council then returned to executive session. At 9:20 p.m. Mayor Benage called the meeting back to order in open session and stated that no binding action had been taken.

**MOTION:** Councilmember Davied moved to extend the executive session for 15 minutes and resume in Council Chambers at 9:40 p.m. Councilmember Welch seconded the motion. *Motion carried 5-0.*

The Council then returned to executive session. At 9:42 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:** There was no further discussion.

**XIV. ADJOURNMENT**

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

The meeting adjourned at 9:46 p.m.