



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
May 06, 2025 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage

II. ROLL CALL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Tom Schmitz ____ John Welch ____

III. OPENING PRAYER: Father Andrew Labenz

IV. FLAG CEREMONY: Presentation of the colors by Scout Troop # 585

V. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

VI. DETERMINE AGENDA ADDITIONS

VII. CONSENT AGENDA

A. Approval of Minutes of the April 15, 2025 City Council meeting.

B. Approval of Minutes of the April 29, 2025 City Council Special Meeting.

Action: Motion to (approve / table / deny) the Consent Agenda as (listed / amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 25-08 in the amount of \$2,379,971.08.

Action: Motion to (approve / deny / table) Appropriations Ordinance No. 25-08.

Motion _____ Second _____ Vote _____

IX. CITY REQUESTED APPEARANCES

A. Luke Peter, PEC – 2025 Street Maintenance Project Update

- X. CITIZEN CONCERNS:** *If you wish to speak, please fill out a "Request to Speak" card at the podium and give it to the City Clerk before the meeting begins. When you are called on by the Mayor, please go to the podium, speak into the microphone, and state your name and address before giving your comments. Please limit your comments to 3 minutes in the interest of time. If more time is needed, you may request an extension from the Mayor.*

XI. REPORTS

- A. Council Member Reports**
- B. Mayor's Report**
- C. City Attorney Report**
- D. City Manager Report**

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration of approving a Change Order for the 2025 Street Maintenance Project for replacement of asphalt at certain locations on Stratford Lane, Stratford Court, and Hillcrest and 45th Street.**

Action: Motion to (accept / deny / table) a Change Order for the 2025 Street Maintenance Project for replacement of asphalt at certain locations on Stratford Lane, Stratford Court, and Hillcrest and 45th Street, in the amount not to exceed \$107,024.00 and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

- B. Consideration of A Planned Unit Development (PUD) Agreement for the Chapel Landing Addition R-PUD.**

Action: Motion to (approve / deny / table) the Planned Unit Development Agreement for the Chapel Landing Addition R-PUD (As Presented / As Amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

- C. (PUD-24-04) Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending Approval of a Zone Change Request from Single-Family Residential District "R-4" to a Planned Unit Development Residential District "R-PUD" (Chapel Landing Addition R-PUD), Generally Located at 53rd Street North and Bristol Street.**

Action: Please choose one of the following (3) options, in accordance with K.S.A. 12-756(b).

1. Motion to approve the findings of fact and recommendation of the Planning Commission for PUD-24-04, Adopt the Ordinance as Presented, and authorize the Mayor to sign. (simple majority, 4 votes required)

2. Motion to override the findings of fact and recommendation of the Planning Commission for PUD-24-04, Adopt alternate findings, disapprove the zone change request and Ordinance. (2/3 majority, 4 votes required)

3. Motion to return the findings of fact and recommendation of the Planning Commission for PUD-24-04 to the Planning Commission for further consideration, with a statement specifying the basis for failure to approve or disapprove, the statement is; _____. (simple majority, 4 votes required)

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Tom Schmitz _____ John Welch _____ Mayor Jim Benage _____

D. Consideration of A Planned Unit Development (PUD) Agreement for the Tierre Verde South Addition.

Action: Motion to (approve / deny / table) the Residential Planned Unit Development Agreement for the Tierre Verde South Addition (As Presented / As Amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

E. (VAC-25-02) Consideration of An Ordinance Approving the Recommendation of The Bel Aire Planning Commission Recommending a Vacation Request in the City to Vacate a Platted Fifteen-Foot-Wide Building Setback on Lot 1, Block 2, Tierre Verde South Addition, To Proceed with the Development of Twelve, Two-Family Dwellings and Site Work, Generally Located Between 45th And 49th Street on Tierra Lakes Parkway and West of Webb Road.

Action: Please choose one of the following (3) options.

1. Motion to approve the findings of fact and recommendation of the Planning Commission for VAC-25-02, Adopt the Ordinance as Presented, and authorize the Mayor to sign. (simple majority, 4 votes required)

2. Motion to override the findings of fact and recommendation of the Planning Commission for VAC-25-02, Adopt alternate findings, disapprove the Vacation request and Ordinance. (2/3 majority, 4 votes required)

3. Motion to return the findings of fact and recommendation of the Planning Commission for VAC-25-02 to the Planning Commission for further consideration, with a statement specifying the basis for failure to approve or disapprove, the statement is; _____. (simple majority, 4 votes required)

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Tom Schmitz _____ John Welch _____ Mayor Jim Benage _____

F. PUD-25-01 Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending An Amendment To The Tierre Verde PUD, That Amends The Allowed Density Of Units, Minimum Setbacks, Height And Area Regulations, Parking, And Landscape Requirements, Generally Located Between 45th And 49th Street On Tierra Lakes Parkway And West Of Webb Road.

Action: Please choose one of the following (3) options, in accordance with K.S.A. 12-756(b).

1. Motion to approve the findings of fact and recommendation of the Planning Commission for PUD-25-01, Adopt the Ordinance as Presented, and authorize the Mayor to sign. (simple majority, 4 votes required)

2. Motion to override the findings of fact and recommendation of the Planning Commission for PUD-25-01, Adopt alternate findings, disapprove the zone change request and Ordinance. (2/3 majority, 4 votes required)

3. Motion to return the findings of fact and recommendation of the Planning Commission for PUD-25-01 to the Planning Commission for further consideration, with a statement specifying the basis for failure to approve or disapprove, the statement is; _____. (simple majority, 4 votes required)

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Tom Schmitz _____ John Welch _____ Mayor Jim Benage _____

G. Consideration of Accepting "Change Order No. 4" for addition of a fire hydrant near the Webb Road sanitary sewer lift station, and rescinding a motion related to "Change Order No. 2 (Bel Aire Lakes Addition Phase 1)".

Action: Motion to rescind a Motion passed at the Bel Aire Council Meeting on April 15, 2025 to; “accept Change Order No. 2 (Bel Aire Lakes Addition Phase 1) for addition of a fire hydrant near the Webb Road sanitary sewer lift station in the amount not to exceed \$35,000, give city engineer authority to work through a plan, negotiate a final price, and authorize the Mayor to sign”.

Motion _____ Second _____ Vote _____

Action: Motion to accept a new change order, “Change Order No. 4”, for the Bel Aire Lakes Addition Phase 1, for the addition of a fire hydrant near the Webb Road sanitary sewer lift station in an amount not to exceed \$15,000 and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

H. Consideration of approving a quote from Tyler Technologies for Tyler One ERP Pro Payments (credit card fees).

Action: Motion to (accept / deny / table) the quote from Tyler Technologies for Tyler One ERP Pro Payments (credit card fees).

Motion _____ Second _____ Vote _____

I. Consideration Of A Resolution Approving The Acceptance of Credit Cards As A Means To Pay City Obligations.

Action: Motion to (adopt / deny / table) A Resolution Approving The Acceptance Of Credit Cards As A Means To Pay City Obligations (As Presented / As Amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

J. Consideration of A Resolution In Support of the Preservation of Tax-Exempt Financing.

Action: Motion to (adopt / deny / table) A Resolution In Support of the Preservation of Tax-Exempt Financing (As Presented / As Amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

XIII. EXECUTIVE SESSION

- A. Action:** Motion to recess into executive session to discuss with legal counsel and receive legal advice related to pending litigation. The discussion will be pursuant to K.S.A. 75-4319 (b)(2) for legal consultation with Neil Gosch, which would be deemed privileged in the attorney-client relationship. Invite the City Manager, City Engineer, City Attorney, and Katherine Chlumsky. The meeting will be for a period of (_____) minutes, and the open meeting will resume in City Council Chambers at (_____) p.m.

Motion _____ Second _____ Vote _____

XIV. DISCUSSION AND FUTURE ISSUES

- A. Workshop - May 13, 2025 at 7:00 p.m.?**

XV. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments:

- A.** Planning Commission Minutes, March 2025
B. Tree Board Minutes, March 2025

- C. 2025 Q1 Treasurer Report
- D. Budget Report 1-1-25 to 3-31-25
- E. Manager's Report – May 6, 2025

Notice

It is possible that sometime between 6:30 and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Video of this meeting can be streamed at www.belaireks.gov and on YouTube. Please make sure all cell phones and other electronics are turned off and put away.