



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
May 05, 2026 7:00 PM



I. CALL TO ORDER: Mayor Jim Benage

II. ROLL CALL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Brandon McIntosh ____ Mike Proctor ____

III. OPENING PRAYER: Mark Posson

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

V. DETERMINE AGENDA ADDITIONS

VI. CONSENT AGENDA

A. Approval of Minutes of the April 21, 2026 City Council meeting.

B. Accept a petition for Phase 1 Paving Improvements to serve Spring Pines Subdivision.

C. Accept a petition for Phase 1 Sanitary Sewer Improvements to serve Spring Pines Subdivision.

D. Accept a petition for Storm Water Drain Improvements to serve Spring Pines Subdivision.

E. Accept a Petition for Phase 1 Water Distribution System Improvements to serve Spring Pines Subdivision.

F. Accept a Petition for Water Main Improvements to serve Spring Pines Subdivision.

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 Improvements/Spring Pines Subdivision Phase 1).

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

There to; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Sanitary Sewer Improvements/Spring Pines Subdivision Phase 1).

- I. A Resolution Determining the Advisability of the Making of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect There to; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Storm Water Drainage Improvements/Spring Pines Subdivision Phase 1).**
- J. Adopt A Resolution Determining the Advisability of the Making Of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect There to; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Water Distribution Improvements/ Spring Pines Subdivision Phase 1).**
- K. Adopt a Resolution Determining the Advisability of the Making Of Certain Internal Improvements in the City of Bel Aire; Making Certain Findings with Respect There to; and Authorizing and Providing for the Making of the Improvements in Accordance with Such Findings (Water Main Improvements/Spring Pines Subdivision Phase 1).**

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

Motion _____ Second _____ Vote _____

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

- A. Consideration of Appropriations Ordinance No. 26-08 in the amount of \$885,962.56.**

Action: Motion to (approve / deny / table) Appropriations Ordinance No. 26-08.

Motion _____ Second _____ Vote _____

VIII. CITY REQUESTED APPEARANCES

- IX. 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.*

X. REPORTS

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

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. SP-26-01 Consideration of An Ordinance Approving the Recommendation of The Bel Aire Planning Commission Recommending a Special Use Request in the City to Allow an Indoor Retail Store within an existing vacant commercial building, Generally located at 6315 East Crestmark Street.

Action: Please choose one of the following (3) options, in accordance with K.S.A. 12-757.

1. Motion to approve the findings of fact and recommendation of the Planning Commission for SP-26-01, 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 SP-26-01, Adopt alternate findings, disapprove the Special Use request and Ordinance. (2/3 majority, 4 votes required)

3. Motion to return the findings of fact and recommendation of the Planning Commission for SP-26-01 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 ___

Brandon McIntosh ___ Mike Proctor ___

B. PUD-26-01 Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending An Amendment To The Sunflower Commerce Park 4th PUD, to Establish Parking, Landscaping, Screening, and Lighting Standards, Generally Located at Northeast corner of 5rd Street and North Webb Road, 9648 East 54th Street North.

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-26-01, 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-26-01, 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-26-01 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 ___

Brandon McIntosh ___ Mike Proctor ___

C. PUD-26-02 Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending An Amendment To The Arthur Heights Estates PUD, To Allow Lot 5 To Be Developed For A Gas Station/Convenience Store Use, Requesting Relief From Setbacks, Landscaping, and Screening Requirements, Generally Located at NW Corner of Woodlawn Blvd and 45th 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-26-02, 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 PUD-26-02, 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-26-02 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 ___

Brandon McIntosh ___ Mike Proctor ___

D. Consideration of An Ordinance Establishing Airport Hazard Zoning Regulations in accordance with K.S.A. 3-705.

Action: Motion to (Approve / Deny / Table) an Ordinance establishing Airport Hazard Zoning Regulations and authorize the Mayor to sign.

Motion _____ Second _____

Roll Call Vote:

Greg Davied ___ Tyler Dehn ___ Emily Hamburg ___

Brandon McIntosh ___ Mike Proctor ___

E. Consideration of Change Order #1 in the amount of \$1,550.00 with Nowak Construction Co., for hydro-excavation services along 45th Street between Oliver and Woodlawn, increasing the underlying contract not-to-exceed amount of \$58,900.00 to \$60,450.00.

Action: Motion to (Approve / Deny / Table) Change Order No. 1 in the amount of \$1,550.00 with Nowak Construction Co., increasing the hydro-excavation contract not-to-exceed amount to \$60,450.00, and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

F. Consideration of an Engagement Letter with Allen, Gibbs & Houlik, L.C. for 2025 Annual Audit Services.

Action: Motion to (Approve / Deny / Table) the Engagement Letter with Allen, Gibbs & Houlik L.C. for 2025 Annual Audit Services, at a cost not to exceed \$46,825.00 (As Presented / As Amended), and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

XII. 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 Neil Gosch, Katherine Chlumsky, City Manager, City Attorney and City Engineer. 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 _____

B. Action: Motion to recess into executive session to discuss the performance of non-elected personnel, including but not limited to, the City Manager. The discussion will be pursuant to K.S.A. 75-4319(b)(1) to discuss personnel matters of non-elected personnel. Invite the City Manager and City Attorney. 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 _____

XIII. DISCUSSION AND FUTURE ISSUES

A. City Council Workshop - May 12th at 7:00 p.m.

XIV. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments:

A. City Manager's Report - May 5, 2026

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.belairks.gov and on YouTube. Please make sure all cell phones and other electronics are turned off and put away.