



**AGENDA**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**September 07, 2022 7:00 PM**



**I. CALL TO ORDER:** Mayor Jim Benage

**II. ROLL CALL**

Greg Davied \_\_\_\_ Tyler Dehn \_\_\_\_ Emily Hamburg \_\_\_\_  
Justin Smith \_\_\_\_ John Welch \_\_\_\_

**III. OPENING PRAYER:** John Barkett

**IV. PRESENTATION OF COLORS:** Boy Scout Pack #585

**V. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**VI. DETERMINE AGENDA ADDITIONS**

**VII. CONSENT AGENDA**

- A. Approval of Minutes of the August 16, 2022 City Council meeting.**
- B. Accept a Petition for Water Distribution System Improvements to serve Phase 1 of Skyview at Block 49 2nd Addition.**
- C. Approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/ Skyview At Block 49 2nd Addition - Phase 1); And Amending, Restating And Repealing Resolution No. R-22-28.**
- D. Approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Distribution System Improvements/Skyview At Block 49 2nd Addition- Phase 1); And Amending, Restating And Repealing Resolution No. R-22-31.**

**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. 22-16 in the amount of \$1,108,026.56.**

**Action:** Motion to (approve / deny / table) Appropriations Ordinance No. 22-16.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

## **IX. CITY REQUESTED APPEARANCES**

- A. Woodlawn Construction Update - Dakota Zimmerman, Garver**
- B. Gary O'Neal, Bel Aire Area Chamber of Commerce**
- C. Larry Kleeman, Ranson City Code Financial**

## **X. PUBLIC HEARING**

- A. Revenue Neutral Rate** - The purpose of the public hearing is to give property owners and other interested parties the opportunity to speak on exceeding the Revenue Neutral Rate of 39.722 mills.

**Action:** Motion to close the public hearing.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

- B. 2023 City of Bel Aire Budget** - The purpose of the public hearing is to give property owners and other interested parties the opportunity to speak on the proposed 2023 City of Bel Aire Budget.

**Action:** Motion to close the public hearing.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

- XI. 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.*

## **XII. REPORTS**

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

### **XIII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS**

**A. Consideration of A Resolution Of The City Of Bel Aire, Kansas To Levy A Property Tax Rate Exceeding The Revenue Neutral Rate.**

**Action:** Motion to (approve/ deny / table) A Resolution Of The City Of Bel Aire, Kansas To Levy A Property Tax Rate Exceeding The Revenue Neutral Rate, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote:

Greg Davied \_\_\_\_\_ Tyler Dehn \_\_\_\_\_ Emily Hamburg \_\_\_\_\_

Justin Smith \_\_\_\_\_ John Welch \_\_\_\_\_

**B. Consideration of adopting the 2023 City of Bel Aire budget.**

**Action:** Motion to adopt the 2023 City of Bel Aire budget as (presented / amended) and authorize the Governing Body to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**C. Consideration of An Ordinance Authorizing And Providing For The Issuance Of General Obligation Bonds, Series 2022A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto.**

**Action:** Motion to (accept / deny / table) An Ordinance Authorizing And Providing For The Issuance Of General Obligation Bonds, Series 2022A, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax For The Purpose Of Paying The Principal Of And Interest On Said Bonds As They Become Due; Authorizing Certain Other Documents And Actions In Connection Therewith; And Making Certain Covenants With Respect Thereto and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote:

Greg Davied \_\_\_\_\_ Tyler Dehn \_\_\_\_\_ Emily Hamburg \_\_\_\_\_

Justin Smith \_\_\_\_\_ John Welch \_\_\_\_\_

**D. Consideration of A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Bonds, Series 2022A, Of The City Of Bel Aire, Kansas, Previously Authorized By Ordinance No. [\_\_\_\_] Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

**Action:** Motion to (approve / deny / table) A Resolution Prescribing The Form And Details Of And Authorizing And Directing The Sale And Delivery Of General Obligation Bonds, Series 2022A, Of The City Of Bel Aire, Kansas, Previously Authorized By Ordinance No. [\_\_\_\_] Of The Issuer; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith, and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**E. Consideration of A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith.**

**Action:** Motion to (approve / deny / table) A Resolution Authorizing And Directing The Issuance, Sale And Delivery Of General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas; Providing For The Levy And Collection Of An Annual Tax, If Necessary, For The Purpose Of Paying The Principal Of And Interest On Said Notes As They Become Due; Making Certain Covenants And Agreements To Provide For The Payment And Security Thereof; And Authorizing Certain Other Documents And Actions Connected Therewith, and authorize all required signatures.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**F. Consideration of acquiring easements from Envision Management, Inc. for the Oliver Street Lift Station and associated sanitary sewer mains.**

**Action:** Motion to (approve / deny / table) the receipt of easements from Envision Management, Inc., for the Oliver Street Lift Station and associated Gravity Sanitary Sewer Mains and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**G. Consideration of accepting a bid for Water, Sanitary Sewer and Drainage Improvements to serve Skyview at Block 49 2nd. Five bids were received:**

<u>Contractor</u>	<u>Water</u>	<u>Sewer</u>	<u>Drainage</u>	<u>Total</u>
Apex	\$128,825.00	\$221,030.00	\$252,920.00	\$602,775.00
Dondlinger	\$86,602.20	\$151,709.00	\$206,217.90	\$444,528.90
McCullough	\$91,493.00	\$133,746.00	\$195,079.20	\$420,318.20
Mies	\$89,599.00	\$160,026.00	\$230,059.00	\$479,684.00
Nowak	\$98,795.00	\$180,622.00	\$212,472.50	\$491,889.50
<i>Engineer's Estimate</i>	<i>\$83,824.00</i>	<i>\$124,129.00</i>	<i>\$230,883.00</i>	<i>\$438,836.00</i>

**Action:** Motion to (accept / deny / table) the bid from \_\_\_\_\_ in the amount of \$\_\_\_\_\_ for Water, Sanitary Sewer and Drainage Improvements to serve Skyview at Block 49 2nd and authorize the Mayor to sign all related documents.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**H. Consideration of approving a bid for Chapel Landing, Phase 2 and Homestead Senior Landing Sanitary Sewer Projects Part "A", "B", & "C", Water Line Part "D", and Storm Water Drain Improvements. Three bids were received:**

<u>Project Part</u>	<u>Engineer's Est.</u>	<u>Mies</u>	<u>Nowak</u>	<u>Dondlinger</u>
A. Mains, Lift Station	<i>\$1,136,868.00</i>	\$859,476.00	\$901,854.50	\$1,124,780.22
B. Sanitary Sewer	<i>\$113,073.00</i>	\$80,972.00	\$101,113.50	\$90,572.46
C. Sanitary Sewer	<i>\$400,632.00</i>	\$318,149.50	\$385,743.00	\$415,911.59
D. Water	<i>\$212,156.00</i>	\$219,365.00	\$239,550.00	\$355,491.00
E. Storm Water	<i>\$368,704.50</i>	\$420,088.20	\$366,322.00	\$403,116.50
Total	<i>\$2,231,433.50</i>	\$1,898,050.70	\$1,994,583.00	\$2,389,871.77

**Action:** Motion to (accept / deny / table) the bid from \_\_\_\_\_ in the amount of \$\_\_\_\_\_ for Chapel Landing, Phase 2 and Homestead Senior Landing Sanitary Sewer Projects Part "A", "B", & "C", Water Line Part "D", and Storm Water Drain Improvements Part "E" and authorize the Mayor to sign all related documents.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**I. Consideration of a bid for Cured In Place Pipe to be installed in Aurora Park and Lawn Terrace. Three companies were contacted and two bids were received:**

Insituform Technologies USA \$631,792.80

Municipal Pipe Tool Co. LLC \$703,674.34

**Action:** Motion to (approve / deny / table) the bid from \_\_\_\_\_ in the amount not to exceed \$ \_\_\_\_\_ for Cured in Place Pipe to be installed in the Aurora Park and Lawn Terrace neighborhoods, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**J. Consideration of a Development Agreement for Elk Creek 3rd.**

**Action:** Motion to (approve / deny / table) the Development Agreement for Elk Creek 3rd, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**K. Consideration of a Development Agreement for Chapel Landing 6th.**

**Action:** Motion to (approve / deny / table) the Development Agreement for Chapel Landing 6th, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**L. Consideration of the revised Employment Agreement with City Manager Lasher.**

**Action:** Motion to (approve / deny / table) the revised Employment Agreement with City Manager Lasher and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**M. Consideration of an Agreement for Professional Services with PEC for Construction Administration and Construction Observation services for the 2022 Street Repairs in the amount of \$62,500.00.**

**Action:** Motion to (approve / deny / table) an Agreement for Professional Services with PEC for Construction Administration and Construction Observation services for the 2022 Street Repairs in the amount of \$62,500 and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**N. Consideration of accepting a proposal for the Water and Sanitary Sewer Master Plans. Three proposals were received:**

PEC	\$134,000.00
Garver	\$211,117.00
Burns & McDonnell	\$236,700.00

**Action:** Motion to (accept / deny / table) the proposal from \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the Water and Sanitary Sewer Master Plans and authorize the Mayor to sign all related documents.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**XIV. EXECUTIVE SESSION**

**Action:** Motion to go into executive session for the sole purpose of discussion the subject of: (\_\_\_\_\_), pursuant to the KSA 75-4319 exception for: (\_\_\_\_\_). Invite the City Manager and the City Attorney. The meeting will be for a period of (\_\_) minutes, and the open meeting will resume in City Council Chambers at (\_\_\_\_\_) PM.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

**XV. DISCUSSION AND FUTURE ISSUES**

**A. Workshop - September 13th at 6:30 pm?**

**XVI. ADJOURNMENT**

**Action:** Motion to adjourn.

Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_

***Additional Attachments***

- A.** Report - Governing Body Retreat, August 2022
- B.** Planning Commission Report 8/23/2022
- C.** UAC Meeting Minutes July 20, 2022
- D.** Manager's Report - 9-07-2022

**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. Cox Cable Channel 7 rebroadcasts of this meeting are scheduled daily or can be streamed on YouTube and at [www.belaireks.gov](http://www.belaireks.gov). Please make sure all cell phones and other electronics are turned off and put away.*