



AGENDA
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
December 05, 2023 7:00 PM



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- I. CALL TO ORDER:** Mayor Jim Benage
- II. ROLL CALL**
- Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Justin Smith ____ John Welch ____
- III. OPENING PRAYER:** Mark Posson
- IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- V. DETERMINE AGENDA ADDITIONS**
- VI. CONSENT AGENDA**
- A. Approve Minutes of the November 21, 2023 City Council meeting.**
 - B. Reappoint Mayor Jim Benage to the Wichita Area Metropolitan Planning Organization (WAMPO) Policy Board**
 - C. Reappoint City Engineer Anne Stephens as an alternate official to the WAMPO Policy Board.**
 - D. Reappoint Assistant City Manager Ted Henry as an alternate official to the WAMPO Policy Board.**
 - E. Reappoint Mayor Jim Benage to the Bel Aire Public Building Commission (PBC). The Mayor is one member and serves a 4-year term co-terminus with his Mayoral term.**
 - F. Reappoint Gary O’Neal to the Bel Aire Public Building Commission (PBC). His term will expire in 2027.**
 - G. Reappoint Mayor Jim Benage to the Chisholm Creek Utility Authority Board.**
 - H. Reappoint Greg Davied to the Chisholm Creek Utility Authority board for 2 years, term ending December 5, 2025.**

- I. **Accept Petitions for Phase 1 Paving, Sanitary Sewer, and Water Distribution System Improvements to serve Skyview at Block 49 2nd Addition Phase 2.**
- J. **Accept 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 (Paving Improvements/Skyview At Block 49 2nd Addition- Phase 2); And Amending, Restating And Repealing Resolution No. R-22-48.**
- K. **Accept 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; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/ Skyview At Block 49 2nd Addition - Phase 2).**
- L. **Accept 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; And 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 2).**
- M. **Accept Petitions for Phase 1 Paving and Drainage, Sanitary Sewer, and Water Distribution System Improvements to serve Bel Aire Lakes.**
- N. **Accept 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; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Paving Improvements/Bel Aire Lakes Addition—Phase 1).**
- O. **Accept 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; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Sanitary Sewer Improvements/ Bel Aire Lakes - Phase 1).**
- P. **Accept 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; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Distribution System Improvements/Bel Aire Lakes- 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. 23-22 in the amount of \$971,445.72

Action: Motion to (approve / deny / table) Appropriations Ordinance No. 23-22.

Motion _____ Second _____ Vote _____

VIII. SEATING OF NEWLY ELECTED GOVERNING BODY MEMBERS

A. Oath of Office by Mayor Jim Benage and Councilmembers Emily Hamburg and Tyler Dean.

IX. ROLL CALL OF NEW COUNCIL

Greg Davied ____ Tyler Dehn ____ Emily Hamburg ____
Justin Smith ____ John Welch ____

X. CITY REQUESTED APPEARANCES: None

XI. PUBLIC HEARING: *Anyone wishing to address the City Council related to the proposed 2023 Budget Amendments are asked to complete a "Request to Speak" card and present it to the City Clerk prior to the start of the meeting. When called on by the Mayor, please move to the podium and state your name & address so that you can be clearly heard by the viewing public as well as the Governing Body. Comments are limited to three (3) minutes unless additional time is granted by the Mayor.*

A. Public Hearing on the proposed 2023 City of Bel Aire Budget Amendments.

Action: Motion to close the public hearing.

Motion _____ Second _____ Vote _____

XII. 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.)*

XIII. REPORTS

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

XIV. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Adopt 2023 City of Bel Aire Budget Amendments, as published.

Action: Motion to (adopt /deny / table) 2023 City of Bel Aire Budget Amendments, as published.

Motion _____ Second _____ Vote _____

B. Consideration of electing a Council President. The term is for one year and was previously held by Justin Smith.

Action: Motion to (elect / table) Council Member _____ as Council President for 2024.

Motion _____ Second _____ Vote _____

C. Consideration of Bids for Street Repairs on Webb Road from K-254 to 45th Street. Three bids were received:

Pearson Construction	\$47,380.00
Kansas Paving	\$33,040.00
APAC Construction	\$54,250.00

Action: Motion to (accept / deny / table) the bid from _____ in the amount not-to-exceed \$ _____ and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

D. Consideration of accepting a bid for the 37th Street Valve Replacement. Three bids were received:

<u>Contractor</u>	<u>Total Bid</u>
Dondlinger	\$42,750.00
McCullough	\$66,250.00
UMC	\$46,610.00

Action: Motion to (accept / deny / table) the bid from _____ in the amount of \$ _____ for the 37th Street Valve Replacement and authorize the Mayor to sign all related documents.

Motion _____ Second _____ Vote _____

E. Consideration of An Ordinance which sets forth uniform requirements for Users of the Sanitary Sewer Conveyance System for the City of Bel Aire and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et 15 seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations 16 [CFR] Part 403)

Action: Motion to (adopt / deny / table) An Ordinance which sets forth uniform requirements for Users of the Sanitary Sewer Conveyance System for the City of Bel Aire and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et 15 seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations 16 [CFR] Part 403) and authorize the Mayor to sign.

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____

F. Consideration of An Ordinance changing the zoning classification from R-4 Single-Family District to R-5 Multi-Family on certain property located within the corporate city limits of the City of Bel Aire, Kansas (ZON-23-05 - Chapel Landing 8th).

Action: Motion to (approve / deny / table) An Ordinance changing the zoning classification from R-4 Single-Family District to R-5 Multi-Family on certain property located within the corporate city limits of the City of Bel Aire, Kansas and authorize the Mayor to sign.

Motion _____ Second _____ Roll Call Vote:

Greg Davied _____ Tyler Dehn _____ Emily Hamburg _____

Justin Smith _____ John Welch _____ Mayor Jim Benage _____

G. Consideration of A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas.

Action: Motion to (approve / deny / table) A Resolution Concerning Service, License And Permit Fees Within The Corporate Limits Of The City Of Bel Aire, Kansas as (presented / amended) and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

H. Consideration of Notification of Retirement from Ty Lasher as City Manager, submitted on October 10, 2023 (announced at the October 10th council workshop while written letters were simultaneously provided to all council members.)

Action: Motion to (approve / deny / table) Ty Lasher's Notification of Retirement as received on October 10, 2023, with his last day as City Manager being March 29, 2024.

Motion _____ Second _____ Vote _____

I. Consideration of an Employment Agreement with Ted Henry as City Manager, effective April 1, 2024.

Action: Motion to (approve / deny / table) an Employment Agreement with Ted Henry as City Manager with an effective date of April 1, 2024 and authorize the Mayor to sign.

Motion _____ Second _____ Vote _____

XV. EXECUTIVE SESSION

Action: Motion to go into executive session for the sole purpose of discussing the subject of Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319

exception for attorney-client privilege. Invite the City Manager, Assistant City Manager, City Engineer, Attorney Neal Gosch and the 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 _____

Action: Motion to go into executive session for the sole purpose of discussing the subject of Attorney-Client consultation regarding contractual obligations pursuant to the KSA 75-4319 exception for attorney-client privilege. 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 _____ p.m.

Motion _____ Second _____ Vote _____

XVI. DISCUSSION AND FUTURE ISSUES

- A. December Workshop – December 12th at 6:30 pm?**
- B. December 19th City Council Meeting?**

XVII. ADJOURNMENT

Action: Motion to adjourn.

Motion _____ Second _____ Vote _____

Additional Attachments

- A. Planning Commission Schedule 2024**
- B. Revised 2024 Court Schedule**
- C. Manager's Report - December 5, 2023**

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