



**MINUTES**  
**CITY COUNCIL MEETING**  
**7651 E. Central Park Ave, Bel Aire, KS**  
**August 02, 2022 7:00 PM**



**I. CALL TO ORDER:** Mayor Jim Benage called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

Present were Tyler Dehn, Emily Hamburg, Justin Smith, and John Welch. Greg Davied was absent.

Also present were Assistant City Manager/ Director of Finance Ted Henry, City Attorney Jacqueline Kelly, City Engineer Anne Stephens, City Clerk Melissa Krehbiel, and Bond Counsel Kevin Cowan of Gilmore and Bell, P.A.

**III. OPENING PRAYER:** John Barkett 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 July 19, 2022 City Council meeting.**

**MOTION:** Councilmember Smith moved to approve the Consent Agenda. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

**VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**

**A. Consideration of Appropriations Ordinance 22-14 in the amount of \$788,723.00.**

**MOTION:** Councilmember Hamburg moved to approve Appropriations Ordinance 22-14. Councilmember Smith seconded the motion. *Motion carried 4-0.*

**VIII. CITY REQUESTED APPEARANCES**

**A. Dakota Zimmerman, Garver – Woodlawn Update**

Dakota Zimmerman reported on construction progress and upcoming construction phases.

- IX. PUBLIC HEARING:** The purpose of the hearing is to consider any and all written or oral objections to the respective assessments for Sewer, Water Drainage, and Paving in The Villas at Prestwick Phase 1, Rock Spring Phase 6 Sewer and Water, Rock Spring 3rd Phase 1 Water, Sewer Drainage and Paving, Webb Road Gravity Main Sewer; and Webb Road Lift Station Installation.

Connor Relph, 5345 N Toben Ct, spoke to the Council. He asked about the interest rate and if the term of the specials could be changed to 30 years instead of 20 years.

Kent Maxon, 5390 N Pebble Creek St, said he has requested comparison quotes from local contractors, and he does not understand how the specials were calculated.

Kevin Cowan of Gilmore and Bell PA, Bond Counsel for the City, responded to the questions from Mr. Relph and Mr. Maxon.

**MOTION:** Councilmember Smith moved to close the public hearing. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

- X. CITIZEN CONCERNS:** No one spoke.

**XI. REPORTS**

**A. Council Member Reports**

Councilmember Dehn briefly reported on the Kansas Civil Engineering Conference and the Kansas Infrastructure Summit. He reminded citizens about a school supplies drive at the Central Park Community Pool ending on August 8<sup>th</sup>, and he wished students and educators good luck in the new school year.

Councilmember Smith reported on the latest meeting of the Chisholm Creek Utility Authority (CCUA).

Councilmember Hamburg reported that she attended the latest meeting of the Bel Aire Chamber of Commerce and the opening of the Little Free Library near Bel Aire Heights pond. She reminded citizens that Friday is the deadline to register for the Bel Aire Ball.

**B. Mayor's Report**

Mayor Benage reported he attended the latest meetings of CCUA and the Utility Advisory Committee (UAC). If all of the UAC appointments on the agenda are confirmed tonight, there will still be one opening on the board; interested citizens should contact the Mayor. He also briefly reported on regulations regarding political signs and how to dispose of them after the election.

**C. City Attorney Report**

City Attorney Kelly briefly reported on the purpose of Development Agreements.

**D. City Manager Report**

Assistant City Manager Ted Henry reported that the Public Works department recently received their newest truck. The truck was ordered about a year ago. He also reported that two



public events are coming up: Hot Dawgs Pool Party at Central Park Community Pool on August 8<sup>th</sup> and National Night Out at City Hall on August 12<sup>th</sup>.

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

- A. Consideration Of A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Taxable Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Equipping And Constructing Of A Storage Facility To Be Located In The City; And Authorizing Execution Of Related Documents**

**MOTION:** Councilmember Welch moved to approve A Resolution Of The Governing Body Of The City Of Bel Aire, Kansas Determining The Advisability Of Issuing Taxable Industrial Revenue Bonds For The Purpose Of Financing The Acquiring, Equipping And Constructing Of A Storage Facility To Be Located In The City; And Authorizing Execution Of Related Documents and authorize the Mayor to sign. Councilmember Smith seconded the motion. *Motion carried 4-0.*

- B. Consideration of An Ordinance Levying Special Assessments, Including Benefit Fees, On Certain Property To Pay The Costs Of Internal Improvements In The City Of Bel Aire, Kansas, As Heretofore Authorized By Resolution Nos. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 And R-20-11; And Providing For The Collection Of Such Special Assessments And Benefit Fees.**

**MOTION:** Councilmember Smith moved to approve An Ordinance Levying Special Assessments, Including Benefit Fees, On Certain Property To Pay The Costs Of Internal Improvements In The City Of Bel Aire, Kansas, As Heretofore Authorized By Resolution Nos. R-18-05, R-18-07, R-18-09, R-18-11, R-19-04, R-19-05, R-21-26, R-21-28, R-21-30, R-21-31, R-20-10 And R-20-11; And Providing For The Collection Of Such Special Assessments And Benefit Fees. Councilmember Welch seconded the motion.

Rollcall Vote:

Tyler Dehn – Aye      Emily Hamburg- Aye      Justin Smith - Aye  
John Welch - Aye

*Motion carried 4-0.*

- C. Consideration of A Resolution Authorizing The Offering For Sale Of General Obligation Bonds, Series 2022A And General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas.**

**MOTION:** Councilmember Hamburg moved to approve A Resolution Authorizing The Offering For Sale Of General Obligation Bonds, Series 2022A And General Obligation Temporary Notes, Series 2022B, Of The City Of Bel Aire, Kansas. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

**D. Consideration of revised Bylaws for the Bel Aire Utility Advisory Committee.**

**MOTION:** Councilmember Smith moved to approve the revised Bylaws for the Bel Aire Utility Advisory Committee and authorize the Mayor to sign. Councilmember Dehn seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

**E. Consideration of the appointment of Dan Broyles to the Bel Aire Utility Advisory Committee. The term is for two years and will end in August of 2024.**

**MOTION:** Councilmember Dehn moved to confirm the mayor's appointment of Dan Broyles to the UAC for a two-year term. Councilmember Hamburg seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

**F. Consideration of the appointment of Ashley Markley to the Bel Aire Utility Advisory Committee. The term is for two years and will end in August of 2024.**

**MOTION:** Councilmember Dehn moved to confirm the mayor's appointment of Ashley Markley to the UAC for a two-year term. Councilmember Smith seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

**G. Consideration of the appointment of Art Tenbrink to the Bel Aire Utility Advisory Committee. The term is for three years and will end in August of 2025.**

**MOTION:** Councilmember Smith moved to confirm the mayor's appointment of Art Tenbrink to the UAC for a three-year term. Councilmember Dehn seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

**H. Consideration of the appointment of Bill Moss to the Bel Aire Utility Advisory Committee. The term is for one year and will end in August of 2023.**

**MOTION:** Councilmember Hamburg moved to confirm the mayor's appointment of Bill Moss to the UAC for a one-year term. Councilmember Smith seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.



**I. Consideration An Ordinance Changing The Zoning Classification From AG Agricultural Zoning (AG) To Manufacturing (M-1) Zoning On Approximately 73 Acres Located Directly East Of Webb Rd, South Of Sunflower Commerce Park, Within Bel Aire, Kansas (ZON-22-04).**

Grant Tidemann, J.P. Weigand & Sons, Inc, stood for question from the Council on behalf of the applicant.

**MOTION:** Councilmember Hamburg moved to approve An Ordinance Changing The Zoning Classification From AG Agricultural Zoning (AG) To Manufacturing (M-1) Zoning On Approximately 73 Acres Located Directly East Of Webb Rd, South Of Sunflower Commerce Park, Within Bel Aire, Kansas and authorize the mayor to sign. Councilmember Smith seconded the motion.

Rollcall Vote:

Jim Benage – Aye      Tyler Dehn – Aye      Emily Hamburg- Aye  
Justin Smith - Aye      John Welch - Aye

***Motion carried 5-0.***

**J. Consideration of Amending a Planned Unit Development (PUD) On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick County, Kansas (PUD-22-02 Winkley Addition Commercial).**

Applicant Matt Hermes and Phil Meyer, Baughman Co, stood for questions from the Council.

**MOTION:** Councilmember Smith moved to amend the PUD to reduce building setbacks, remove certain screening requirements, and add a fuel tank storage area On Certain Property Located Within The Corporate City Limits Of Bel Aire, Sedgwick County, Kansas subject to the Sedgwick County Fire Department furnishing record of completed inspections as required by [the City Building Inspector] and authorize all required signatures. Councilmember Dehn seconded the motion.

Rollcall Vote:

Jim Benage – Aye      Tyler Dehn – Aye      Emily Hamburg- Aye  
Justin Smith - Aye      John Welch - Nay

***Motion carried 4-1*** with Councilmember Welch voting against the motion.

**K. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Elk Creek 3rd (ZON-22-02).**

**MOTION:** Councilmember Welch moved to accept the dedications within the Final Plat for Elk Creek 3<sup>rd</sup> conditioned upon the Developer's Agreement being prepared and approved prior to filing and authorize all required signatures. Councilmember Smith seconded the motion.

Rollcall Vote:

Jim Benage – Aye      Tyler Dehn – Aye      Emily Hamburg- Aye  
Justin Smith - Aye      John Welch - Aye

***Motion carried 5-0.***

**L. Consideration of accepting the dedication of streets and other public ways, service and utility easements and land dedicated for public use as shown on the Final Plat of Chapel Landing 6th (ZON-21-07).**

**MOTION:** Councilmember Smith moved to accept the dedications within the Final Plat for Chapel Landing 6<sup>th</sup>, subject to the Developer's Agreement being prepared and approved prior to filing and authorize all required signatures. Councilmember Hamburg seconded the motion.

Rollcall Vote:

Jim Benage – Aye      Tyler Dehn – Aye      Emily Hamburg- Aye  
Justin Smith - Aye      John Welch - Aye

***Motion carried 5-0.***

**XIII. EXECUTIVE SESSION:** No executive session was necessary and none was held.

**XIV. DISCUSSION AND FUTURE ISSUES**

**A. Workshop – August 9th at 6:30 p.m.**

**B. Council Retreat – August 13<sup>th</sup> at 9:00 am.**


The Council briefly discussed the dates and agendas for the upcoming workshop and council retreat.

**XV. ADJOURNMENT**

**MOTION:** Councilmember Smith moved to adjourn. Councilmember Hamburg seconded the motion. ***Motion carried 4-0.***

The meeting adjourned at 8:54 p.m.

Approved by the City Council this 16<sup>th</sup> day of August, 2022.

  
Jim Benage, Mayor

ATTEST:

  
Melissa Krehbiel, City Clerk

