



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
April 16, 2024 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 Councilmembers Greg Davied, Emily Hamburg, Justin Smith, and John Welch. Councilmember Tyler Dehn was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, Finance Director Barry Smith, City Engineer Anne Stephens, Public Works Director Marty McGee, City Clerk Melissa Krehbiel, Bond Counsel Kevin Cowan of Gilmore and Bell, and consultant Ken Lee, P.E. of Garver.

III. OPENING PRAYER: Dr. Robert Lindsted provided the opening prayer.

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Benage led the pledge of allegiance.

V. PROCLAMATION

A. Arbor Day - April 20, 2024

Mayor Benage read and signed the proclamation.

VI. DETERMINE AGENDA ADDITIONS: There were no additions.

VII. CONSENT AGENDA

A. Approval of Minutes of the April 2, 2024 City Council meeting.

MOTION: Councilmember Smith moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Davied seconded the motion. *Motion carried 4-0.*

VIII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance No. 24-07 in the amount of \$324,861.28.

MOTION: Councilmember Davied moved to approve Appropriations Ordinance No. 24-07. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

IX. CITY REQUESTED APPEARANCES

A. President Aaron Maxwell, Bel Aire Chamber of Commerce - Quarterly Report

Mr. Maxwell gave a quarterly report. Memberships and sponsorships have increased, and the Chamber has planned a full calendar of speakers and tours for 2024.

X. CITIZEN CONCERNS: No one spoke.

XI. PUBLIC HEARING

- A. The Purpose of the Public Hearing is to hear from taxpayers, Bel Aire residents and other stakeholders in regard to the issuance by the City of its Taxable Industrial Revenue Bonds (Aspen Funds LLC), in a principal amount not to exceed \$105,000,000 (the “Bonds”) and in regard to an exemption from ad valorem taxation of property acquired, constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the City under authority of K.S.A. 12-1740 et seq., as amended, to pay the costs of acquiring land and constructing and equipping approximately five (5) buildings of approximately 912,925 total square feet for use in industrial, manufacturing, warehouse, distribution, flex and/or office purposes, to be located immediately northeast of the intersection of 53rd Street North and Webb Road in the City. The City further intends to lease such facilities to Aspen Funds LLC, a Kansas limited liability company, or a related entity (the “Tenant”).**

Mayor Benage opened the public hearing. No one spoke.

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

XII. REPORTS

A. Council Member Reports

Councilmember Welch attended the Walton’s groundbreaking ceremony on April 15th.

Councilmember Hamburg briefly reported on the Walton’s groundbreaking on April 15th, the Wichita Chamber’s Issues Forum and the REAP meeting on April 11th, the recent meeting between the City of Wichita and Sedgwick County, and the conclusion of the indoor soccer season at Bel Aire Recreation Center. She thanked the Recreation staff, volunteer coaches and families that participated. Councilmember Hamburg reminded residents that the E-Recycle and Shred Day will be held at City Hall on April 27th.

B. Mayor's Report

Mayor Benage reported that former City Councilmember Betty Martine passed away on April 7th. A vigil will be held at Church of the Resurrection on Woodlawn on April 24th and her funeral will be held on April 25th.

Mayor Benage thanked the Bel Aire Lion's Club for restriping the parking lot at the Bel Aire Recreation Center.

He briefly reported on the groundbreaking for Walton's on April 15th and the WAMPO TPB meeting on April 9th. He also met General Michael Flynn on April 13th at Sunrise Christian Academy.

Mayor Benage noted that the Tree Board will hold a celebration on April 20th at City Hall to mark Arbor Day.

C. City Attorney Report

City Attorney Maria Schrock gave a brief report on a recent sanitary sewer stoppage incident and on staff training regarding public education and enforcement of the Sewer Use Ordinance.

D. City Manager Report

City Manager Ted Henry briefly reported on Code Enforcement case numbers and the City's projected growth. Regarding growth, in the next 5-10 years the population could grow to about 14,000. The number of building permits issued continues to increase, from 58 in 2019 to an estimated 144 in 2024.

Finally, Mr. Henry reported on recent updates to the website. A new link to Notices and Publications has been added to the City's website. He also reminded the Council about several upcoming events:

- April 20th, Celebrate Trees
- April 27th, Document Shredding & E-Recycling
- May 2nd -4th, Citywide Garage Sale weekend
- May 18th, Spring Curbside Clean-Up

XIII. 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 To Finance Acquiring Land, And Equipping And Constructing Buildings For Use In Industrial, Manufacturing, Warehouse, Distribution, Flex And/Or Office Purposes To Be Located Immediately Northeast Of The Intersection Of 53rd Street North And Webb Road In The City; And Authorizing Execution Of Related Documents (Aspen Funds, LLC).

MOTION: Councilmember Smith 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 To Finance Acquiring Land, And Equipping And Constructing Buildings For Use In Industrial, Manufacturing, Warehouse, Distribution, Flex And/Or Office Purposes To Be Located Immediately Northeast Of The Intersection Of 53rd Street North And Webb Road In The City; And Authorizing Execution Of Related Documents. Councilmember Welch seconded the motion. ***Motion carried 4-0.***

B. Consideration of accepting a Bid for paving improvements to serve Cozy Drive. Bids were received from three companies:

| | <u>Eng. Estimate</u> | <u>APAC</u> | <u>KS Paving</u> | <u>Pearson</u> |
|-----------------------------|----------------------|---------------------|---------------------|---------------------|
| Base Bid | \$353,073.00 | \$516,245.76 | \$433,203.60 | \$341,344.00 |
| Alt 1 (Ditch) | \$35,568.75 | \$36,857.80 | \$40,129.30 | \$16,641.50 |
| Base + Alt 1 | \$388,641.75 | \$553,103.56 | \$473,332.90 | \$357,985.50 |
| Alt 2 (Concrete) | \$16,484.00 | \$61,152.00 | \$45,864.00 | \$28,224.00 |
| Base + Alt 2 | \$369,568.00 | \$577,397.76 | \$479,067.60 | \$369,568.00 |
| Base + Alt 1 & 2 | \$405,105.75 | \$614,255.56 | \$519,196.90 | \$386,209.50 |

MOTION: Councilmember Welch moved to accept the base bid from Pearson including Alternate 1 and Alternate 2, and the City will pay \$105,000 as agreed before, plus the cost of Alternate 1 for the total bid not-to-exceed \$386,209.50 and authorize the Mayor to sign. Councilmember Smith seconded the motion. *Motion carried 3-1*, with Councilmember Hamburg voting against the motion.

C. Consideration of a Bid for Paving Improvements to serve Aurora Park (40th & Parkwood). Bids were received from three companies:

| | <u>Eng. Estimate</u> | <u>APAC</u> | <u>KS Paving</u> | <u>Pearson</u> |
|--------------------------------|----------------------|-----------------------|---------------------|-----------------------|
| Base Bid | \$519,098.50 | \$927,791.00 | \$717,257.00 | \$786,926.50 |
| Alt 1: Intersection | (\$5,200.00) | (\$5,980.00) | (\$5,720.00) | (\$9,100.00) |
| Base + Alt 1 | \$513,898.50 | \$921,811.00 | \$711,537.00 | \$777,826.50 |
| Alt 2: Ditch | \$101,355.00 | \$255,702.00 | \$173,577.00 | \$359,352.00 |
| Base + Alt 2 | \$620,453.50 | \$1,183,493.00 | \$890,834.00 | \$1,124,464.50 |
| Base + Alt 1 & 2 | \$615,253.50 | \$1,177,513.00 | \$885,114.00 | \$1,115,364.50 |
| Alt 3: Concrete | \$128,340.00 | \$147,591.00 | \$102,672.00 | \$147,591.00 |
| Base + Alt 3 | \$647,438.50 | \$1,075,382.00 | \$819,929.00 | \$934,517.50 |
| Base + Alt 1, 2 & 3 | \$743,593.50 | \$1,325,104.00 | \$987,786.00 | \$1,262,955.50 |

MOTION: Councilmember Welch moved to table the bids for the Aurora Park 40th and Parkwood paving and ditchwork (Item C). Councilmember Davied seconded the motion. *Motion carried 4-0.*

D. Consideration of accepting a quote for a 550 Crane Truck. Three quotes were received:

| <u>Company</u> | <u>Purchasing Price</u> | <u>Wait Times</u> |
|----------------------|-------------------------|-----------------------|
| Master Tech | \$187,857.00 | Available Now |
| Pritchard Commercial | \$196,281.00 | 6-8 Months build time |
| Rush Truck Center | \$178,890.00 | 9-11 month build time |

MOTION: Councilmember Welch moved to accept the quote from Master Tech at a cost not to exceed \$187,857.00 and authorize the City Manager to sign all related documents. Councilmember Hamburg seconded the motion. *Motion carried 4-0.*

XIV. EXECUTIVE SESSION

- A. MOTION:** Councilmember Hamburg moved to go into executive session for the sole purpose of discussing the subject of: attorney-client consultation regarding contractual obligations pursuant to K.S.A. 75-4319(b)(2) for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship. Invite the City Manager, Assistant City Manager, City Attorney, City Engineer and Neil Gosch. The meeting will be for a period of 15 minutes, and the open meeting will resume in City Council Chambers at 9:00 p.m. Councilmember Smith seconded the motion. *Motion carried 4-0.*

The Council then held an Executive Session. At 9:00 p.m., Mayor Benage called the meeting back to order and stated that no binding action had been taken.

XV. DISCUSSION AND FUTURE ISSUES: No other issues were discussed.

XVI. ADJOURNMENT

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

Approved by the City Council this 7th day of May, 2024.


Jim Benage, Mayor

ATTEST:


Melissa Krehbiel, City Clerk

