



MINUTES
CITY COUNCIL MEETING
7651 E. Central Park Ave, Bel Aire, KS
May 20, 2025 7:00 PM



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

II. ROLL CALL

Councilmembers Tyler Dehn, Tom Schmitz, and John Welch were present. Councilmember Emily Hamburg attended the meeting by videoconference, joining the meeting at 8:34 p.m. Councilmember Greg Davied was absent.

Also present were City Manager Ted Henry, City Attorney Maria Schrock, City Engineer Anne Stephens and City Clerk Melissa Krehbiel.

III. OPENING PRAYER: Mark Posson 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 May 6, 2025 City Council meeting.**
- B. Approve the reappointment of Ted Henry as City Manager for the next twelve months.**
- C. Approve the reappointment of Maria Schrock as City Attorney for the next twelve months.**
- D. Approve the reappointment of Terry Beall as Municipal Court Judge for the next twelve months.**

MOTION: Councilmember Welch moved to approve the Consent Agenda as listed and authorize the Mayor to sign. Councilmember Schmitz seconded the motion. ***Motion carried 3-0.***

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

- A. Consideration of Appropriations Ordinance No. 25-09 in the amount of \$1,761,973.55.**

MOTION: Councilmember Dehn moved to approve Appropriations Ordinance No. 25-09. Councilmember Welch seconded the motion. *Motion carried 3-0.*

VIII. CITY REQUESTED APPEARANCES

- A. Gary Janzen, Director of Public Works & Utilities, City of Wichita - Water Reuse**

Mr. Janzen spoke about the current drought, and the County's efforts to prepare for and mitigate the effects of the drought on the water supply. No action was taken.

IX. CITIZEN CONCERNS: No one spoke.

X. REPORTS

- A. Council Member Reports**

Councilmember Dehn reported this week he finished the Smart Growth America Champions Institute. This Thursday WAMPO and the KU Transportation Center will host a vulnerable road user training at Bel Aire City Hall – those who are interested can register for the training. He reported that he saw many people using the new playground in Eagle Lake Park and he thanked City staff for their work on the project.

Councilmember Schmitz reported he recently looked at the street work completed by APAC and it looks good, much smoother than it was.

Councilmember Welch reminded Bel Aire residents who are interested in serving on the City Council to sign up with the Sedgwick County Election Office before the end of the month. Currently, three seats will be open and only one candidate is registered.

- B. Mayor's Report**

Mayor Benage reported on the Kansas Mayor's Forum and the most recent meetings of the Sedgwick County Association of Cities, WAMPO, and the Utility Advisory Committee.

He reported that today, CCUA was advised that the KDHE administrative order is being revised to require substantial completion of the wastewater treatment plant upgrade by October 31, 2027 and full compliance by May 1, 2028.

He noted that Memorial Day is this coming Monday, and he asked everyone to honor those who died in service to our country. He also encouraged residents to give their input on the location of the sand volleyball court – an online survey can be found on the City's Facebook page.

Mayor Benage announced that he is running for office to represent Kansas House Legislative District No 85. If elected to the House, he does not plan to resign his position as Mayor of Bel Aire.

C. City Attorney Report

City Attorney Maria Schrock reported on the recent adoption of the 2024 International Fire Code by Sedgwick County. At a future City Council meeting the Council may consider repealing Bel Aire's current fire code, which dates to 2012-2013, and instead adopt the 2024 fire code.

D. City Manager Report

City Manager Ted Henry noted that City offices will be closed on Monday in honor of Memorial Day. He reported that he recently visited with Bel Aire Lions Club members. Mr. Henry reported that after implementing the new ERP software system in the Utility Billing department, water shut offs were down to only 45 last month, compared to 100 -120 previously. He noted that each time severe weather is forecasted, like last weekend, City staff prepare to respond. He noted that brush and limbs from storms can be taken to the Kechi brush site once per month – more information will be share on the City's website.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of a request by Waste Connections for a rate increase of 2%, for solid waste and recycling services. Herschel West, Waste Connections, will present the request.

Herschel West, Waste Connections, presented the request and answered questions from the Council.

MOTION: Councilmember Welch moved to approve a 2% rate increase for solid waste and recycling services fees paid by the City to Waste Connections, effective June 1, 2025, As Presented in the First Amendment Agreement, and authorize the Mayor to sign. Councilmember Schmitz seconded the motion. *Motion carried 3-0.*

B. Consideration of the Change Order Request No. 3 from APAC for additional full-depth asphalt replacement in the amount of \$120,502.00.

Anne Stephens, City Engineer, stood for questions from the Council.

Emily Hamburg joined the meeting by Zoom at 8:34 p.m.

MOTION: Councilmember Welch moved to approve Change Order Request No. 3 from APAC in the amount of \$120,502.00 for additional full-depth replacement, and authorize the Mayor to sign all related documents. Councilmember Schmitz seconded the motion. *Motion carried 4-0.*

MOTION FOR RECESS: Councilmember Welch moved to take a five-minute recess. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

Mayor Benage called meeting back to order at 8:47 p.m.

- C. **Consideration of accepting a bid for the 45th and Oliver Bridge Project. Two bids were received:**

	<u>Engineer's Est.</u>	<u>Dondlinger</u>	<u>Mies</u>
Bid	\$429,585.50	\$362,037.20	\$430,000.00

MOTION: Councilmember Welch moved to accept the bid from Dondlinger for \$362,037.20 for the 45th and Oliver Bridge Project and authorize the Mayor to sign the Agreement and Notice of Award. Councilmember Schmitz seconded the motion.
Motion carried 4-0.

- D. **Consideration of accepting a bid for the 53rd and Rock Road Culvert Replacement Project. Two bids were received:**

	<u>Engineer's Est</u>	<u>Dondlinger</u>	<u>Mies</u>
Bid	\$104,730.00	\$130,689.00	\$136,000.00

MOTION: Councilmember Welch moved to accept the bid from Dondlinger in the amount of \$130,689.00 for the 53rd and Rock Road Culvert Replacement Project and authorize the Mayor to sign the Agreement and Notice of Award. Councilmember Dehn seconded the motion. *Motion carried 4-0.*

- E. **Consideration of A Second Amendment to the Tierra Verde Planned Unit Development (PUD) Agreement.**

Paula Downs, Director of Community Development, gave a brief report on the development and stood for questions from the Council.

MOTION: Councilmember Welch moved to approve A Second Amendment to the Tierra Verde PUD Agreement for the Tierra Verde South Addition As Presented contingent upon all PUD property owners signing the agreement and authorize the Mayor to sign. Motion died for lack of second.

Councilmembers discussed connecting private sidewalks within the development to existing city sidewalks.

Kirk Miller, KE Miller Engineering, spoke on behalf of the applicant and responded to questions from the Council. Mr. Miller said the applicant would be glad to make sure that the development's sidewalks tie into the sidewalk by the street.

MOTION: Councilmember Dehn moved to approve A Second Amendment to the Tierra Verde PUD Agreement for the Tierra Verde South Addition as amended that the applicant agrees to the additional provision of adding a sidewalk to connect and maintain with any current sidewalks that are present on both sides of the subject lot, contingent upon all PUD property owners signing the agreement, and authorize the Mayor to sign. Councilmember Schmitz seconded the motion. *Motion carried 4-0.*

F. (VAC-25-02) Consideration of An Ordinance Approving the Recommendation of The Bel Aire Planning Commission Recommending a Vacation Request in the City to Vacate a Platted Fifteen-Foot-Wide Building Setback on Lot 1, Block 2, Tierra Verde South Addition, To Proceed with the Development of Twelve, Two-Family Dwellings and Site Work, Generally Located Between 45th And 49th Street on Tierra Lakes Parkway and West of Webb Road.

Mayor Benage announced the agenda item and the general location of the property. Before proceeding with the hearing Mayor Benage asked each Councilmember if anyone intended to disqualify themselves from participating in the case because of a conflict of interest. No one was disqualified. He asked if anyone on the Council had received any ex parte verbal or written communications which they would like to share. The answer was no. The City Clerk then confirmed that a protest petition had not been filed regarding this case. Mayor Benage then confirmed that everyone on the Council had received the Unapproved Minutes of the Planning Commission for April 10, 2025, which summarizes the public hearing for this case.

Paula Downs, Community Development Director, provided a brief overview of the case and the Planning Commission's recommendation, and stood for questions from the Council.

Mayor Benage invited the agent for the applicant to speak on the matter. The applicant declined.

Mayor Benage then opened the public comments section of the meeting. No one spoke. Mayor Benage then closed the public comments section. The City Clerk confirmed that no written communications had been received regarding this case.

The Council deliberated. Councilmembers expressed general agreement with the recommendations of the Planning Commission and City staff.

MOTION: Councilmember Welch moved to approve the findings of fact and recommendation of the Planning Commission for VAC-25-02, Adopt the Ordinance as Presented, and authorize the Mayor to sign. Councilmember Schmitz seconded the motion..

Roll Call Vote:

Greg Davied [absent]	Tyler Dehn - Aye	Emily Hamburg - Aye
Tom Schmitz - Aye	John Welch - Aye	Mayor Jim Benage - Aye

Motion carried 5-0.

G. PUD-25-01 Consideration Of An Ordinance Approving The Recommendation Of The Bel Aire Planning Commission Recommending An Amendment To The Tierra Verde PUD, That Amends The Allowed Density Of Units, Minimum Setbacks, Height And Area Regulations, Parking, And Landscape Requirements, Generally Located Between 45th And 49th Street On Tierra Lakes Parkway And West Of Webb Road.

Mayor Benage announced the agenda item and the general location of the property. Before proceeding with the hearing Mayor Benage asked each Councilmember if anyone intended to disqualify themselves from participating in the case because of a conflict of interest. No one was disqualified. He asked if anyone on the Council had received any ex

parte verbal or written communications which they would like to share. The answer was no. The City Clerk then confirmed that a protest petition had not been filed regarding this case. Mayor Benage then confirmed that everyone on the Council had received the Unapproved Minutes of the Planning Commission for April 10, 2025, which summarizes the public hearing for this case.

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Mayor Benage invited the agent for the applicant to speak on the matter. The applicant declined.

Mayor Benage then opened the public comments section of the meeting. No one spoke. Mayor Benage then closed the public comments section. The City Clerk confirmed that no written communications had been received regarding this case.

The Council deliberated. Councilmembers expressed general agreement with the recommendations of the Planning Commission and City staff. They cited the length of time the property has been vacant, the availability of utilities nearby, and the character of the neighborhood as supporting factors in their decisions to approve the findings of fact and recommendation of the Planning Commission.

MOTION: Councilmember Dehn moved to approve the findings of fact and recommendation of the Planning Commission for PUD-25-01, Adopt the Ordinance as Presented, and authorize the Mayor to sign. Councilmember Welch seconded the motion. Roll Call Vote:

Greg Davied [absent]	Tyler Dehn - Aye	Emily Hamburg - Aye
Tom Schmitz - Aye	John Welch - Aye	Mayor Jim Benage - Aye

Motion carried 5-0.

H. Consideration of accepting a bid for the Bel Aire Lakes Paving and Drainage Project. Four bids were received:

	<u>APAC</u>	<u>KS Paving</u>	<u>Pearson</u>	<u>Prado</u>
Base Bid	\$2,034,478.20	\$1,718,570.25	\$1,685,465.35	No Bid
Add Alt A	\$27,631.00	No Bid	\$68,624.00	No Bid
Base + Alt A	\$2,062,109.20	No Bid	\$1,754,089.35	No Bid
Add Alt B	\$429,134.00	\$234,894.40	\$146,809.00	\$477,129.35
Base + Alt B	\$2,463,612.20	\$1,953,464.65	\$1,832,274.35	\$1,936,145.60
Base + A + B	\$2,491,243.20	No Bid	\$1,900,898.35	No Bid

City Engineer Anne Stephens stood for questions from the Council. She noted that if the Council selected the concrete option, the total cost of the improvement, including professional construction inspection, may exceed the petition. She reported that the Developer recently requested a meeting with City staff regarding the project, but there was not time to hold the meeting before the City Council meeting.

MOTION: Councilmember Dehn moved to table consideration of the Bel Aire Lakes Paving and Drainage Project. Councilmember Schmitz seconded the motion. *Motion carried 3-1* with Councilmember Welch voting against the motion.

I. Consideration of Resolution Accepting A (BASE) Grant Award from the Kansas Department of Commerce.

MOTION: Councilmember Schmitz moved to adopt A Resolution authorizing acceptance of the Building A Stronger Economy (BASE) Grant Award of \$4,716,225 from the Kansas Department of Commerce As Presented and authorize the Mayor to sign. Councilmember Welch seconded the motion. *Motion carried 4-0.*

J. Consideration of accepting a quote to purchase a replacement UTV for the Bel Aire Recreation Center. Three quotes were received:

<u>Model</u>	<u>Vendor</u>	<u>Quote</u>
Cushman Hauler 1200x	Kansas Golf & Turf	\$9,570.75
John Deere Gator TX	Prairieland Partners	\$10,643.88
Club Car 550	Clear Creek Golf Cars	\$14,003.00

MOTION: Councilmember Dehn moved to accept a quote for a new UTV, from Kansas Golf & Turf in an amount not to exceed \$9,570.75 funded by the equipment replacement fund, and authorize Mayor to sign the Contract As Presented. Councilmember Welch seconded the motion. *Motion carried 4-0.*

XII. EXECUTIVE SESSION: No executive session was held.

XIII. DISCUSSION AND FUTURE ISSUES

The Council briefly discussed procedures for unexpected change orders for the Street Maintenance Project. No action was taken.

XIV. ADJOURNMENT

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

Approved by the City Council this 16th day of June, 2025.



ATTEST:

Melissa Krehbiel
Melissa Krehbiel, City Clerk

Jim Benage
Jim Benage, Mayor