



MINUTES  
CITY COUNCIL MEETING  
7651 E. Central Park Ave, Bel Aire, KS  
Video available at [belaireks.gov](http://belaireks.gov)  
June 16, 2020 7:00 P.M.



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

**II. ROLL CALL**

Council Members present were Dr. Joel Schroeder, Justin Smith, John Welch, and Diane Wynn. Council Member Jeff Elshoff was absent.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, Director of Finance Ted Henry, and City Clerk Melissa Krehbiel.

**III. OPENING PRAYER-** Dr. Joel Schroeder provided the opening prayer.

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

Mayor Benage led the pledge of allegiance.

**V. DETERMINE AGENDA ADDITIONS – City Manager**

**Consideration of adding Item I under Final Actions and Item C under Executive Session and removing Item A under Final Actions at the request of Waste Connections.**

**MOTION:** Council Member Welch moved to approve the City Manager's additions and removal to the agenda. Council Member Wynn seconded the motion. *Motion carried 4-0.*

**VI. CONSENT AGENDA**

**A. Minutes of the June 2, 2020 City Council Meeting.**

**MOTION:** Council Member Welch moved to approve the consent agenda as listed and authorize the Mayor to sign. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

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

**A. Consideration of Appropriations Ordinance 20-11 in the amount of \$321,013.69.**

**MOTION:** Council Member Smith moved to approve Appropriations Ordinance 20-11. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

**VIII. CITY REQUESTED APPEARANCES: None**

**IX. CITIZEN CONCERNS:** No one requested to speak.

**X. REPORTS**

**A. Council Member Reports**

Council Member Welch reported that the brush site was so busy on Saturday that most of 53<sup>rd</sup> Street was blocked by traffic. He suggested the council look at traffic control there. He also noted that traffic control could have been better at Westlake, while they were repairing the street. He encouraged City Wide Garage Sale patrons to take appropriate COVID-19 precautions.

Council Member Schroeder said he has been driving on the gravel roads around Bel Aire and he will be interested to see more input from citizens on that topic. He reminded the public that COVID-19 is not gone, people are still dying every day. The only way to prevent the spread of the disease is for everyone to take personal responsibility for following COVID-19 precautions.

Council Member Wynn reported on animal control options. The county provides animal control for some animal problems, including stray dogs. There are also commercial animal control providers who can remove problem pests, such as bees. Council Member Wynn said animal complaints seem to be growing recently and the Council may want to discuss animal control policies in the near future.

**B. Mayor's Report**

Mayor Benage reported he participated in a White House phone conference on June 3 regarding coronavirus and protest violence. On June 8, he attended the Utility Advisory Committee meeting where the 2020 Water Conservation Plan was finalized. On June 9, he attended the Wichita Area Municipal Planning Organization (WAMPO) virtual meeting, where the transportation improvement plan was approved. Today, the Woodlawn Engineering Construction Consultant selection Committee met. They hope to have a recommendation by July. On July 11, Mayor Benage will hold the second Coffee with the Mayor. All are welcome.

In other news, on June 3<sup>rd</sup>, a post threatening violence in Bel Aire and the surrounding areas was circulated on social media. There were no flare-ups of violence. Thanks to Sherriff Easter and Chief Atteberry for working together on the situation and providing extra patrols. Mayor Benage shared a quote from Martin Luther King Jr, and asked citizens to remember his legacy of peaceful protest.

Recently, citizens have asked questions about the vetting process of new police officers, and de-escalation training for officers. Chief Atteberry reports that Bel Aire continues to be well prepared on both issues.

Coronavirus cases in Sedgwick County are rising but some of this could be from expanded testing. The County will release more information later this week. Mayor Benage commented on a recent cluster of coronavirus cases in Arkansas City. Mayor Benage urged citizens to follow CDC guidelines to prevent the spread of coronavirus, including social distancing, hand washing, and wearing masks.

The City will hold a celebration, including a fireworks display, on July 4<sup>th</sup>, to celebrate Independence Day and the City's fortieth anniversary. Mayor Benage encouraged citizens to follow the CDC guidelines at this event.

### **C. City Attorney Report**

City Attorney Kelly reviewed new guidance from the Kansas Attorney General regarding KORA requests. She also reminded citizens that backflow prevention tests for lawn irrigation systems will be due by July 1 this year.

### **D. City Manager Report**

City Manager Lasher reported that City Hall will be closed July 3<sup>rd</sup> in honor of Independence Day. Fireworks can be purchased from June 27<sup>th</sup> to July 4<sup>th</sup>, but can only be detonated on July 4<sup>th</sup>. The celebration at City Hall on July 4<sup>th</sup> will be from 7 pm to about 10 pm. Parking will be available around City Hall and people can sit on the lawn for the professional fireworks display. The Bel Aire Lions Club will serve refreshments. Fireworks should start around 9:30 p.m. People can also stay in their cars and park at Northeast Magnet High School or Isely Elementary School.

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

### **A. Consideration of a request from Waste Connections for a 2% increase for solid waste and recycling fees for 2020 effective July 1, 2020 and adjust the solid waste and recycling fees in accordance.**

[Item A was removed from the agenda by motion.]

### **B. Consideration of adopting the 2020 Water Conservation Plan for the City of Bel Aire**

**MOTION:** Council Member Smith moved to approve the 2020 Water Conservation Plan for the City of Bel Aire and authorize the Mayor to sign. Council Member Wynn seconded the motion. *Motion carried 4-0.*

- C. Consideration of confirming Mayor Benage's Re-Appointment of Art Tenbrink to the Utility Advisory Committee. The term will run for two years and expire in 2022.**

**MOTION:** Council Member Wynn moved to confirm the Mayors Re-Appointment of Art Tenbrink to the Utility Advisory Committee for a two year term. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

- D. Consideration of confirming Mayor Benage's Re-Appointment of Bill Moss to the Utility Advisory Committee. The term will run for two years and expire in 2022.**

**MOTION:** Council Member Smith moved to confirm the Mayors Re-Appointment of Bill Moss to the Utility Advisory Committee for a two year term. Council Member Wynn seconded the motion. *Motion carried 4-0.*

- E. Consideration of confirming Mayor Benage's Re-Appointment of Dan Broyles to the Utility Advisory Committee. The term will run for two years and expire in 2022.**

**MOTION:** Council Member Schroeder moved to confirm the Mayors Re-Appointment of Dan Broyles to the Utility Advisory Committee for a two year term. Council Member Smith seconded the motion. *Motion carried 4-0.*

- F. Consideration of confirming Mayor Benage's Re-Appointment of David Floyd to the Bel Aire Planning Commission. The term will run for three years and expire in 2023.**

**MOTION:** Council Member Smith moved to confirm the Mayors Re-Appointment of David Floyd to the Bel Aire Planning Commission for a three year term. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

- G. Consideration of confirming Mayor Benage's Re-Appointment of Gary Northwall to the Bel Aire Tree Board. The term will run for two years and expire in 2022.**

**MOTION:** Council Member Welch moved to confirm the Mayors Re-Appointment of Gary Northwall to the Bel Aire Tree Board effective February 1, 2020 for a two year term. Council Member Wynn seconded the motion. *Motion carried 4-0.*

**H. Consideration of temporary and permanent right-of-way and easement acquisitions for the Woodlawn Expansion project.**

**MOTION:** Council Member Welch moved to authorize the City Manager working with land acquisition contractor, Allen Skeens, City Engineer, City Attorney, and individual homeowners to negotiate and authorize reasonable payments on the City's behalf. Such limits shall be based on the expertise of the acquisition contractor, specific circumstances of each parcel, KDOT guidelines, and overall needs of the project. Council Member Smith seconded the motion. *Motion carried 4-0.*

**I. Consideration of appointing a new Council President for the remainder of 2020.**

**MOTION:** Council Member Schroeder moved to appoint Justin Smith to replace Jeff Elshoff as Council President for the remainder of 2020. Council Member Wynn seconded the motion. *Motion carried 4-0.*

**XII. EXECUTIVE SESSION**

**A. Executive Session**

**MOTION:** Council Member Schroeder moved to go into executive session for the sole purpose of discussing the subject of: **Consultation with Attorney to discuss legal assessment of a certain matter**, pursuant to the KSA 75-4319 exception for: Attorney Client Privilege. Invite the City Manager, Finance Director and the City Attorney. The meeting will be for a period of 30 minutes, and the open meeting will resume in City Council Chambers at 8:15 p.m. Council Member Welch seconded the motion. *Motion carried 4-0.*

**B. Executive Session**

**MOTION:** Council Member Smith moved to go into executive session for the sole purpose of discussing the subject of: **Consultation with Attorney about agreement negotiations**, 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 15 minutes, and the open meeting will resume in City Council Chambers at 8:31 p.m. Council Member Welch seconded the motion. *Motion carried 4-0.*

The Council went into executive session at 8:16 p.m. The open meeting resumed at 8:31 p.m. in the Council chambers. Mayor Benage announced no binding action had been taken.

**MOTION:** Council Member Wynn moved to extend the executive session [Item XII B] for 10 minutes. Council Member Smith seconded the motion. *Motion carried 4-0.*

The Council went into executive session at 8:32 p.m. The open meeting resumed in Council chambers at 8:42 p.m. Mayor Benage announced no binding action had been taken.

**C. Consideration of the Central Park Homeowners Association Transition Plan.**

**MOTION:** Council Member Schroeder moved to approve the Central Park HOA transition plan as amended and authorize the Mayor to sign. Council Member Smith seconded the motion. *Motion carried 4-0.*

**XIII. DISCUSSION AND FUTURE ISSUES**

- Workshop – June 20<sup>th</sup> or 27<sup>th</sup> at 9:00 am?

The Council briefly discussed the date for the next City Council workshop. There was general agreement to hold the workshop on June 27<sup>th</sup> at 9:00 a.m.

**XIV. ADJOURNMENT**

**MOTION:** Council Member Schroeder moved to adjourn. Council Member Welch seconded the motion. *Motion carried 4-0.*

The meeting adjourned at 8:47 p.m.

Approved by the City Council this 7th day of July, 2020.

  
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Jim Benage, Mayor

ATTEST:

  
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Melissa Krehbiel, City Clerk