

**MINUTES**  
**BEL AIRE LAND BANK MEETING**  
**City Hall- 7651 E Central Park Ave, Bel Aire, KS**  
**September 3, 2020, 5:30 pm.**

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**I. CALL TO ORDER:** Chairman Jim Benage called the meeting to order at 5:30 p.m.

**II. ROLL CALL:**

Present were Jim Benage, Jeff Elshoff, John Welch, Dr. Joel Schroeder, Justin Smith, and Diane Wynn.

Also present were Land Bank Treasurer Ty Lasher and Land Bank Attorney Jacqueline Kelly.

**III. MINUTES**

**A. Minutes of the July 21, 2020 Bel Aire Land Bank meeting.**

**MOTION:** Mr. Smith moved to approve the July 21, 2020 Bel Aire Land Bank minutes as presented. Dr. Schroeder seconded the motion. *Motion carried 4-0-1* with Mr. Elshoff abstaining from the vote.

**IV. EXECUTIVE SESSION**

**MOTION:** Dr. Schroeder moved to go into executive session for the sole purpose of discussing the subject of: Consultation with Attorney about proposed contract negotiations pursuant to the KSA 75-4319 exception for: Attorney Client Privilege. Invite the Land Bank Treasurer, Marketing Agent Grant Glasgow and Land Bank Attorney. The meeting will be for a period of 45 minutes, and the open meeting will resume at 6:18 p.m. Mr. Smith seconded the motion. *Motion carried 5-0.*

The board then conducted the executive session. At 6:18 p.m. the board returned to open session.

**MOTION:** Dr. Schroeder moved to extend the executive session for 20 minutes with the open meeting to resume at 7:03 p.m. Mr. Smith seconded the motion. *Motion carried 5-0.*

The board returned to executive session. At 7:03 p.m. the board returned to open session. Chairman Benage stated no binding action was taken.

**MOTION:** Dr. Schroeder moved to extend the executive session for 20 minutes with the open meeting to resume at 7:23 p.m. Mr. Welch seconded the motion. *Motion carried 5-0.*

The board returned to executive session. At 7:23 p.m. the board returned to open session. Chairman Benage stated no binding action was taken.

**MOTION:** Dr. Schroeder moved to extend the executive session for 20 minutes with the open meeting to resume at 7:44 p.m. Mr. Smith seconded the motion. *Motion carried 5-0.*

The board returned to executive session. At 7:44 p.m. the board returned to open session. Chairman Benage stated no binding action was taken.

## **V. RESOLUTIONS AND FINAL ACTIONS**

### **A. Consideration of approving a Real Estate Sales Contract on Lot 1, Block 19 of the Central Park Addition.**

After discussion, Board members reached consensus that the agreement shall be amended to include the following City of Bel Aire (CoBA) Obligations:

- Upon Developer's commencement of construction of taxable real estate property valued at \$625,00.00 on subject property (as confirmed by City approved appraisal), CoBA shall begin construction of the Bel Aire Commons Park, Phase 1 (Exhibit B).
- Upon Developer's commencement of construction of taxable real estate property on subject property, valued at \$400,000.00 above the original \$625,000.00 as confirmed by City approved appraisal, the CoBA shall begin construction of Phase 2 (Exhibit B).
- Upon Developer's commencement of construction of taxable real estate property valued at \$800,000.00 above the original \$625,000.00 + \$400,000.00, on subject property, as confirmed by City approved

appraisal, the CoBA shall begin construction of the final phase (Exhibit B).

**MOTION:** Mr. Welch moved to approve the Real Estate Sales Contract with David Key & Assigns for Lot 1, Block 19 of the Central Park Addition as amended and authorize the Chairman to sign. Mr. Elshoff seconded the motion. *Motion carried 5-0.*

**B. Consideration of approving a Real Estate Sales Contract on approximately 4 acres located on the northeast corner of Lycee and Rock.**

**MOTION:** Mr. Smith moved to approve the Real Estate Sales Contract with Hiser Inc. for approximately 4 acres as presented and authorize the Chairman to sign. Mr. Welch seconded the motion. *Motion carried 5-0.*

**C. Consideration of granting a warranty deed for a portion of Lot 5, Block D of the Central Park 4<sup>th</sup> Addition to New Century Homes, LLC.**

**MOTION:** Dr. Schroeder moved to approve the granting of a statutory warranty deed for the Southeast 5 feet of Lot 5, Block D, Central Park 4th Addition, Bel Aire, Kansas to New Century Homes LLC and authorize the Chairman to sign. Mr. Smith seconded the motion. *Motion carried 5-0.*

**D. Consideration of the revised bylaws primarily addressing the chairpersons voting status and electronic meetings.**

**MOTION:** Ms. Wynn moved to approve the revised bylaws as presented and authorize the Chairman to sign. Mr. Elshoff seconded the motion. *Motion carried 5-0.*

**VI. ADJOURNMENT**

**MOTION:** Dr. Schroeder moved to adjourn. Mr. Smith seconded the motion. *Motion carried 5-0.*