



MINUTES
CITY COUNCIL MEETING
City Hall – Bel Aire, Kansas
February 4, 2020 7:00 P.M.



I. **CALL TO ORDER:** Mayor Jim Benage called the meeting to order.

II. **ROLL CALL**

Present were Council Members Jeff Elshoff, Dr. Joel Schroeder, Diane Wynn, and Justin Smith.

Also present were City Manager Ty Lasher, City Attorney Jacqueline Kelly, City Engineer Anne Stephens and City Clerk Melissa Krehbiel.

III. **OPENING PRAYER:** Father Terry Hedrick 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. **Minutes of the January 21, 2020 City Council Meeting.**

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

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

A. **Consideration of Appropriations Ordinance 20-02 in the amount of \$276,492.66.**

MOTION: Council Member Smith moved to approve Appropriations Ordinance 20-02. 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 Elshoff attended the January meeting of the Chisholm Creek Utility Authority (CCUA), where Kansas Rural Water Association (KRWA) delegates were nominated and computer security was discussed.

Council Member Smith also attended the CCUA meeting in January.

- B. Mayor's Report-** Mayor Benage reported that he attended the K-254 Association meeting in Towanda on January 24th, where they received a presentation from the South Central Kansas Transportation Coalition. There is a great need for transportation in this area. He met with Cub Scouts on the 7th, to talk about City government. Tomorrow there will be a meeting concerning the lot and traffic at the Isely school. Hopefully that meeting will result in a go-forward plan that will be agreeable to all parties. He asked for thoughts and prayers for the family of Dr. Michael O'Donnell who passed away on February 1st. Dr. O'Donnell was a long-time resident of Bel Aire, husband of former Council Member and CCUA member Peggy O'Donnell and father to Sedgwick County Commissioner Michael O'Donnell. In other news, Senator Carolyn McGinn sent a letter and a commemorative plaque, congratulating the City on its 40th Anniversary as an incorporated city.
- C. City Attorney Report-** City Attorney Kelly briefly reviewed the agenda for the upcoming Council workshop. Also, the Kansas House will soon consider a bill that will require state and local taxes be collected on internet marketplace facilitators like Amazon and EBay. Staff is considering using the 2018 International Building Code to be in better alignment with Wichita and Sedgwick County codes, and may soon make a recommendation to council about adopting the 2018 version. Planning Commission is working on a draft of the comp plan and expect it will go before council in 3-4 months.
- D. City Manager Report-** City Manager Lasher reported that City Hall now has a dedicated internet fiber line. This should resolve the technical problems that affected video streaming of Council meetings. The website for the K-254 Corridor Association went live last week. Tomorrow, at 5:30 p.m. at City Hall, a public meeting will be held for interested parties to discuss the traffic problem in the Central Park neighborhood near Isely Elementary School.

XI. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

- A. Consideration of confirming the Mayors Appointment of _____ to fill the Council seat vacated by Jim Benage. Appointment will be for two years and up for election in 2021.**

Mayor Benage nominated John Welch to fill the vacant Council seat.

Mr. Welch stood for questions from Council. He stated that he would like to auction Bel Aire's land holdings, instead of selling them. He believes the City could get a fair price and get rid of the land debt quickly.

MOTION: Council Member Smith moved to confirm Mayor Benage's appointment of John Welch to the vacant City Council seat. Council Member Schroeder seconded the motion. *Motion failed 2-2*, with Council Members Elshoff and Wynn voting against the motion.

Mayor Benage then nominated Ashley Markley to fill the vacant Council seat.

MOTION: Council Member Smith moved to confirm Mayor Benage's appointment of Ashley Markley to the vacant City Council seat. Council Member Schroeder seconded the motion. *Motion failed 2-2*, with Council Members Elshoff and Wynn voting against the motion.

MOTION: Council Member Smith moved to table the item. Council Member Wynn seconded the motion. *Motion carried 3-1*, with Council Member Elshoff voting against the motion.

B. Oath of Office for New City Council Member – No action was taken.

C. Consideration of confirming the Mayors Appointment of Sam Porter to the Bel Aire Tree Board. Appointment will be for two years ending in 2021.

MOTION: Council Member Elshoff moved to confirm Mayor Benage's appointment of Sam Porter to the Bel Aire Tree Board. Council Member Wynn seconded the motion. *Motion carried 4-0*.

D. Consideration of accepting the revised paving petition for Rock Spring Phase 6. Revision due to all bids coming in above the Engineers Estimate.

MOTION: Council Member Elshoff moved to accept the Revised Paving Petition for Rock Spring Phase 6. Council Member Schroeder seconded the motion. *Motion carried 4-0*.

E. Consideration of An Ordinance Concerning The Amendment Of Chapter 8, Of The City Code Of Bel Aire, Kansas, In Connection With The Swimming Pool Code, All Within The City Of Bel Aire, Sedgwick County, Kansas.

MOTION: Council Member Schroeder moved to approve An Ordinance Concerning the Amendment of Chapter 8, of the City Code of Bel Aire, Kansas, In Connection With the Swimming Pool Code, All Within The City Of Bel Aire, Sedgwick County, Kansas as (presented / amended) and authorize the Mayor to sign. Council Member Wynn seconded the motion.

Roll Call Vote:

Jeff Elshoff - Aye Dr. Joel Schroeder- Aye
Jim Benage- Aye Diane Wynn- Aye Justin Smith- Aye
Motion carried 5-0.

F. Consideration of an Assignment, Assumption, and Consent between the City of Bel Aire and Willowbend Golf Club, Inc. for gray water.

MOTION: Council Member Smith moved to approve the Assignment, Assumption and Consent with Willowbend Golf Club, Inc. and authorize the Mayor to sign. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

G. Review of the 2019 Bel Aire Land Bank Annual Report.

MOTION: Council Member Smith moved to receive & file the Bel Aire Land Bank Annual Report, and publish the list of inventory in the official City newspaper. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

H. Consideration of a Cereal Malt Beverage License for Dollar General located at 45th and Woodlawn.

MOTION: Council Member Smith moved to approve granting a limited retailer license to DG Retail LLC to sell Cereal Malt Beverages in original and unopened containers, and not for consumption on the licensed premises. Council Member Schroeder seconded the motion. *Motion carried 4-0.*

I. Consideration of accepting a bid for Phase 6 Paving improvements in the Spring Addition.

The following bids were received:

<u>Company</u>	<u>Total Bid (Concrete)</u>
Kanas Paving	\$233,042.50
Pearsons Construction	\$239,758.25
Prado	\$241,967.25
Andale Paving	\$261,695.19
Cornejo & Sons	\$301,594.25
<i>Engineers Estimate</i>	<i>\$294,000.00</i>

MOTION: Council Member Smith moved to accept the bid from Kansas Paving for Paving in phase 6 of the Rock Spring Addition and authorize the Mayor to sign all related documents. Council Member Wynn seconded the motion. *Motion carried 4-0.*

J. Consideration of accepting a bid for Water Main Improvements in Phase 6 of the Rock Spring Addition.

The following bids were received:

<u>Company</u>	<u>Total Bid</u>
Dondlinger Construction	\$31,494.00
Mies Construction	\$34,010.00
Nowak Construction	\$35,645.30
McCullough Construction	\$40,730.00
<i>Engineers Estimate</i>	<i>\$34,067.00</i>

MOTION: Council Member Schroeder moved to accept the bid from Dondlinger Construction for Water Main Improvements in phase 6 of the Rock Spring Addition and authorize the Mayor to sign all related documents. Council Member Smith seconded the motion. *Motion carried 4-0.*

K. Mayors Administration of City Attorney Bonus.

MOTION: Council Member Smith moved to approve the Mayor's administration of a bonus to the City Attorney for legal work performed related to land contract review for the period of January 1 to January 21st where the Employee Contract Addendum passed on January 21st is silent. Council Member Wynn seconded the motion. *Motion carried 4-0.*

XII. EXECUTIVE SESSION

No executive session was held.

XIII. DISCUSSION AND FUTURE ISSUES

- City Council Workshop (Training) – February 11th @ 6:30 pm?
- Governing Body Strategic Planning – February 22nd from 9:00 am – 1:00 pm?

The Council briefly discussed the agendas for the workshop and strategic planning meetings.

The Council then briefly discussed their votes for the nominations to fill the vacant City Council seat. Mr. Elshoff stated that the nominations were not what he was looking for in a candidate. Ms. Wynn stated that she would like to see more experienced candidates. Council Member Smith stated he did not see any disqualifiers in the nominated candidates. Council Member Schroeder stated he expected the mayor had done his due diligence in selecting candidates.

XIV. ADJOURNMENT

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

The meeting adjourned at 7:59 p.m.

Approved by the City Council this 18th day of February, 2020.



Jim Benage, Mayor

ATTEST:



Melissa Krehbiel, City Clerk