



**MINUTES
CITY COUNCIL MEETING
City Hall – Bel Aire, Kansas
August 20, 2019 7:00 P.M.**



I. CALL TO ORDER: Mayor David Austin

II. ROLL CALL

Council Members present were Jim Benage, Jeff Elshoff, Jeff Hawes, Betty Martine, and Justin Smith.

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

III. MOMENT OF SILENT PRAYER

IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Mayor Austin led the pledge of allegiance.

V. DETERMINE AGENDA ADDITIONS

There were no additions.

VI. CONSENT AGENDA

A. Minutes of the August 6, 2019 City Council Meeting.

B. Minutes of the August 13, 2019 Special Meeting.

MOTION: Council Member Smith moved to approve the consent agenda as listed and authorize the Mayor to sign. Council Member Elshoff seconded the motion.

Council Member Benage asked that a correction be made to his comments on page 2 of the August 6 City Council Meeting minutes: “governor of Kansas” be replaced with “governor in the United States” and the name changed to “US-Mexico-Canada” trade treaty.

MOTION: Council Member Smith amended his motion to include the corrections. Council Member Elshoff seconded the motion. *Motion carried, 5-0.*

VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE

A. Consideration of Appropriations Ordinance 19-16 in the amount of \$415,476.51.

MOTION: Council Member Elshoff moved to approve Appropriations Ordinance 19-16. Council Member Hawes seconded the motion. *Motion carried 5-0.*

VIII. CITY REQUESTED APPEARANCES: None

IX. CITIZEN CONCERNS: No one spoke.

X. PUBLIC HEARING: The purpose of the public hearing is to give property owners and other interested parties the opportunity to speak on the proposed 2020 City of Bel Aire Budget.

Mayor Austin opened the public hearing. No one spoke.

MOTION: Council Member Hawes moved to close the public hearing. Council Member Benage seconded the motion. *Motion carried 5-0.*

XI. REPORTS

A. Council Member Reports

Council Member Elshoff reported he attended the Bel of the Ball event at the Rec Center and thanked staff for their work on the event.

Council Member Martine reported she attended the Hot Dawgs Pool Party and thought it was well organized this year.

B. Mayor's Report- Mayor Austin also attended the Hot Dawgs Pool Party and noted that Isely Elementary held an event the same night.

C. City Attorney Report- No report was given.

D. City Manager Report- City Manager Lasher reported that twin girls were recently born to Finance Director Henry and his wife.

E. Committees/Boards/Commissions Reports- No reports were given.

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of adopting the 2020 City of Bel Aire budget.

MOTION: Council Member Martine moved to adopt the 2020 City of Bel Aire budget as presented and authorized the Governing Body to sign. Council Member Elshoff seconded the motion. *Motion carried 5-0.*

B. Consideration of the final plat for Rock Spring 3rd Addition. Location is south side of 53rd between Rock and Webb Roads.

This application was considered, and a public hearing was held, at the last meeting of the Planning Commission. The Commission voted 4-1 to recommended approval of the plat.

Ken Lee, Garver, LLC spoke and stood for questions from Council. Mr. Lee said the cost difference between concrete and asphalt is often mitigated by the terms of the specials: 20 years for concrete, 15 years for asphalt. Bids will be sought for both asphalt and concrete.

MOTION: Council Member Smith moved to approve the Final Plat for Rock Spring 3rd Addition and authorize all required signatures. Council Member Hawes seconded the motion. *Motion carried 5-0.*

C. Consideration of A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDING (PAVING IMPROVEMENTS/ROCK SPRING ADDITION – PHASE 6).

MOTION: Council Member Elshoff moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Finding (Paving Improvements/Rock Spring Addition – Phase 6) and authorize the Mayor to sign. Council Member Martine seconded the motion. *Motion carried 5-0.*

D. Consideration of A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF BEL AIRE, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM IMPROVEMENTS/ROCK SPRING ADDITION – PHASE 6).

MOTION: Council Member Benage moved to approve A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Bel Aire, Kansas; Making Certain Findings With Respect Thereto; And Authorizing And Providing For The Making Of The Improvements In Accordance With Such Findings (Water Distribution System Improvements/Rock Spring Addition – Phase 6) and authorize the Mayor to sign. Council Member Martine seconded the motion. *Motion carried 5-0.*

E. Consideration of an Agreement for Professional Services with Garver, LLC for design, construction administration, staking and observation services in Phase 6 of the Rock Spring Addition.

The cost of these services will be spread as special assessments to the benefit district.

MOTION: Council Member Hawes moved to approve the Professional Services Agreement with Garver, LLC for Rock Spring Phase 6 and authorize the Mayor to sign. Council Member Benage seconded the motion. *Motion carried 5-0.*

F. Consideration of an Agreement for a Lift Station Conceptual Design to serve roughly 100 acres of developable ground that is west of Webb, south of K254, North of Tierra Lakes and east of the NE Magnet.

A lift station is necessary for this area because current sewer infrastructure cannot serve the area. The costs will be spread to the benefit district as special assessments. Water service is already available in this area.

Ken Lee, Garver, LLC, answered questions from Council. He said this area was identified 15 years ago as needing a sewer lift station. Since that time, growth patterns have changed. The new study will determine how to support current and future development in the area. About 100 acres are City-owned and about 70 acres are owned by a developer.

MOTION: Council Member Smith moved to approve the Lift Station Conceptual Design Agreement with Garver, LLC at a cost not to exceed \$14,840.00 and authorize the Mayor to sign. Council Member Hawes seconded the motion. *Motion carried 5-0.*

G. Consideration of selecting voting and alternate voting delegates to the Annual Business Meeting of the League of Kansas Municipalities. The meeting is in Overland Park on the afternoon of October 12th.

MOTION: Council Member Hawes moved to select Ty Lasher, Jaqueline Kelly & Betty Martine as voting delegates and David Austin as alternate voting delegate to the Annual Business Meeting of the League of Kansas Municipalities. Council Member Elshoff seconded the motion. *Motion carried 5-0.*

H. Consideration of a Sign Agreement By and Between the City of Bel Aire and The Central Park Addition Homeowners Association

MOTION: Council Member Benage moved to approve the Sign Agreement By and Between the City of Bel Aire and The Central Park Addition Homeowners Association and authorize the Mayor to sign. Council Member Elshoff seconded the motion. *Motion carried 5-0.*

XIII. DISCUSSION AND FUTURE ISSUES

No further discussion was held.

XIV. EXECUTIVE SESSION

MOTION: Council Member Hawes moved to go into executive session for the sole purpose of discussing the subject of: Consultation with Attorney about proposed code language 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 7:45 PM. Council Member Elshoff seconded the motion. *Motion carried 5-0.*

Council then recessed to executive session. Council returned to open session at 7:45 p.m.

MOTION: Council Member Smith moved to extend the executive session for 10 minutes, with the open meeting resuming at 7:57 p.m. Council

Member Benage seconded the motion. *Motion carried 3-0*, with Council Members Martine and Hawes abstaining from the vote.

Council then recessed to executive session. Council returned to open session at 7:55 p.m.

MOTION: Council Member Smith moved to go into executive session for the sole purpose of discussing the subject of: Consultation with Attorney regarding proposed agreements 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 8:13 PM. Council Member Benage seconded the motion. *Motion carried 3-0*, with Council Members Martine and Hawes abstaining from the vote.

Council then recessed to executive session. Council returned to open session at 8:13 p.m. Mayor Austin announced that no binding action had been taken.

XV. ADJOURNMENT

MOTION: Council Member Benage moved to adjourn. Council Member Elshoff seconded the motion. *Motion carried 5-0*.

The meeting adjourned at 8:14 p.m.