



Minutes
COUNCIL MEETING
City Hall – Bel Aire, Kansas
September 20, 2016
7:00 P.M.



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- I. CALL TO ORDER** - Mayor David Austin called the City of Bel Aire Council meeting to order, September 20 2016 at 7:00 pm.
- II. ROLL CALL** Council Members present Dr. Ramona Becker, Guy MacDonald, Betty Martine, Peggy O'Donnell, and Diane Wynn. Also present City Attorney Alison McKenney Brown, City Manager Ty Lasher, City Clerk/Utility Clerk Jamie Hayes, and Building and Zoning Assistant Stacey Cook.
- III. MOMENT OF SILENT PRAYER** - A moment of silent prayer was led by Mayor David Austin.
- IV. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG** – The Pledge of Allegiance to the American Flag was led by Mayor David Austin
- V. DETERMINE AGENDA ADDITIONS:** None
- VI. CONSENT AGENDA**
- A.** Minutes of the September 6, 2016 City Council Meeting.
- MOTION:** Mrs. O'Donnell made a motion to approve the consent agenda as listed and authorize the Mayor to sign. Seconded by Dr. Becker. **Motion carried 5-0.**
- VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**
- A.** Appropriations Ordinance 16-18 in the amount of \$223,134.63.
- MOTION:** Dr. Becker made a motion to approve appropriations Ordinance 16-18. Seconded by Mrs. O'Donnell. **Motion carried 5-0.**
- VIII. CITY REQUESTED APPEARANCES:** None

IX. CITIZEN CONCERNS: Oral communication from the audience *(Please move to the podium and state your name & address so that you can be clearly heard by the viewing public as well as the Governing Body. Comments are limited to three (3) minutes unless additional time is granted by the Mayor).*

David Webster 4731 N Prestwick: One concern I have is the road at Rock and 45th and Woodlawn and 45th, we either need to put a light in there or a roundabout. The traffic there backs up all the way from 45th past Willowbend every day around 5:00pm because it's so congested and Woodlawn is the same way. So a roundabout would be really nice or a traffic light.

Mayor Austin: Thank you so much, I have some comments. Woodlawn is scheduled in 2020 which seems like so far away that they have planned for the widening, but they are looking at all kinds of things for that intersection.

Mrs. O'Donnell: Mr. Mayor I have a question, when was the most recent study at 45th and Rock since a lot of that, the south side is Wichita. I know we did a study of the other ones, have we done that one recently?

Mr. Lasher: Actually the intersection itself at 45th and Rock is in Wichita.

Mrs. O'Donnell: The whole intersection? We don't even have the northwest?

Mr. Lasher: No we, the road that comes up from the south by Willowbend is theirs, the road that heads east is theirs, and then they have the intersection, we have up to the intersection at 45th and Rock going south.

Mrs. O'Donnell: Ok so we have it northwest, but we don't have any part of the intersection.

Mr. Lasher: Yes. We could share that with Wichita.

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 special assessments related to the Courtyards at Elk Creek Addition, Rock Spring Addition Phase 3, Wolff Addition, Tierra Verde South Addition and Lycee Heights Addition.

(Please move to the podium and state your name & address so that you can be clearly heard by the viewing public as well as the Governing Body. Comments are limited to three (3) minutes unless additional time is granted by the Mayor).

Mayor opened the Public Hearing at 7:06 pm.

David Webster, 4731 N Prestwick: I do have a concern in regards to the specials. Some of the residents in our community in Elk Creek have been there for 2 years, why were the

specials for the roads and sewer and everything attached to that property at that time verses to years later? When now you guys have just finished building the roads and sewers to the next development and then now we see a special attached. Why did it take this long? Yes, the builder did say you will have specials for sewer, sanitary water needs from \$100-\$150 a month at 3.5% interest for 20 years, but at the same time they said there are no additional petitions as of June 27, 2015. So either Bel Aire is carrying the note, why isn't it attached to the property such that its evenly started paying right away? And is the bond for 20 years? Only because when we bought we made the decision based on specials and taxes and everything else. You want to know the whole price, not a year later here's another \$150 a month so good luck guys, cause we already have property taxes on it.

Dr. Becker: So you weren't told there would be specials when you bought the house?

Mr. Webster: We already had specials, there's already specials on the property now. Yes we were told there was a range, but we weren't told how much to spend or anything. We weren't told any of that by the builder. The builder did inform us that in 2015, January 23, 2015 there was petitions for sewer, water, paving, in the total amount of \$570,000, in 2015 all that property was developed with roads and sewers and everything else. So at that time the property should have been assessed with specials, not 2 years later.

Laura Hill, 4819 N Prestwick: In review of my sales agreement, as David has reported, I support what he has already presented to you. We did have specials already assessed to our properties, they were estimated to be \$148.00 a month which is what the builder advertised our specials would be. And the specials that are currently proposed to be assessed are in addition to that and fall far outside what we expected to be specials for our properties and seem to be a little redundant to what we already have had assessed.

Pam Johnson 4785 N Indian Oak: I just wanted to review the numbers that I had based on the forecast. The total of phase 1 assessments on my property were \$19,711.54. The proposed new assessment is \$3811.31, so that brings the specials principle only on my property to \$23,522.85. I was not able to obtain from the City of Wichita or Bel Aire what the interest rate is. I know we have an option to pay this additional \$3800 within 30 days without any interest. My question is, is this the final assessment for Phase 1 or is it not. I don't know that anyone here is representing the builder but like I said that's \$23,522 with no interest. So my question is, is this the final assessment or is it not. Does anyone have any answers to this?

Mr. Lasher: Mr. Cowan is our bond council and he is taking notes and he'll be able to answer

Ms. Johnson: So there's no answers tonight?

Mr. Lasher: No, he'll answer tonight.

Ms. Johnson: Ok. Is this the final assessment?

City Attorney McKenney Brown: this is your time to speak, when you're done speaking and others can speak then...

Ms. Johnson: My final question is this the final assessment for Phase 1 specials thank you.

Chris Hearn, 4808 N Prestwick: My question is, I see there is some assessment in the Phase 2 in our area and there is ultimately a Phase 3, is that going to trickle down to us as it seems to be trickling up to some of the lots that are issued in Phase 2. Thank you.

Erica Nance, 4835 N Indian Oak: In our contracts I believe it said any additional assessments in addition to what we had said this would be our approximate amount so I can't tell exactly how much we'll end up having to pay for these specials but it seems quite a bit more than what they approximated. Many of the folks that live in our development are retired and live on fixed incomes. So while there has to be a balance as to what's needed to support the infrastructure and the people who want to live in that area I'm afraid that it will price some people out of that area. Some might leave, and we might not fill up the rest of the property if it's outside of peoples fixed incomes. Thank you.

Darrell Waldrop, 4805 N Indian Oak: I just wanted to say that I live on the street that was first developed as Ms. Johnson and Ms. Nance. We see that we now have an assessment for the sewer but we've been there almost 2 years and I really don't feel that on Phase 2 and 3 as Mr. Hearn said I think I've paid my fair share so the assessments should go to folks that are either not moved in or the builder because we're done as far as I'm concerned. I think we've paid our fair share.

MOTION: Mrs. O'Donnell made a motion to close the public hearing. Seconded by Ms. Martine. **Motion carried 5-0.**

The Public Hearing closed at 7:17 pm.

XI. REPORTS:

A. Council Members Reports

Ms. Martine: No report Mayor.

Ms. Wynn: Yes I do have a report. I attended the REAP Executive meeting on September the 8th. Major discussion were held reporting a bit of a struggle as many organizations are having, keeping membership and getting membership. So they are asking community members and officials they know in the 10 county area surrounding Wichita and Bel Aire and ya know if they just give a name back we'll take it and the REAP staff will actually contact them. They are also looking to recruit some associate members and one of those is Westar. They are wanting people who do business within that 10 county area or larger. So my business is one and I do business all over the state of Kansas so I compare what goes on in other parts of this, but kind of banding together is a good way of getting things going. There was also a little bit

of discussion, elections are in our future and in the past they have had some meetings with potential political people. This year they are thinking of having some kind of an event, a meet and greet kind of thing after the election which would be a good time for us to get to know the new legislators. And we know that there will be some, there already are some, and so most of us thought that was a pretty good idea because before the election attendance can be very spite. Transportation was a big topic, and discussion along the whole I-35 corridor is extremely important. This is becoming you know sort of an area all of its own and I know I have said all along its ridiculous that we don't have some major distribution centers in this area and various things like that. So they are finally getting serious here in the discussion about that. I also heard Dr. Bardo from WSU talk about this same subject in another area and WSU is allowing students from like the Oklahoma City area to pay instate tuition as part of this linking us together kind of thing so I thought that was interesting. I also attended the WAMPO meeting more as part of the peanut gallery cause Anne was there, but I was curious about it and so there were a couple of items of interest particularly to our area. There will be a couple of upgrades to the north junction which is the I-35, 235 mess. They are working on phase 1 and 2 and they will finish up, phase 3 and 4 they've done some updates or upgrades and did not have that so I could see that. When I saw that the first time there were still some areas that were kind of like well is that the best you can do so they have made some changes to that. The unfortunate thing is that, the money is not there for those phases. They were scheduled to be done by 2020 so we'll see on that. I'm sure there will be more coming. Also the City of Wichita is planning upgrades to the 45th and Hillside intersection so the plans are it will have turn lanes and lights. And unfortunately when they were doing the presentation the sound wasn't too good I didn't get the information but they are going to have to do something about the railroad there. You can't make too many changes without doing something to those so hopefully they will do a good job. My understanding is there is also a water line that belongs to Bel Aire that runs along 45th street so may have to be something done about that. And Anne is aware of that. Dr. Bardo spoke at this meeting and he also spoke at the WEBA luncheon so I heard his speal twice in the same day. It is a good one if you are invited to some meeting to hear him talk about economic development. I think he's crazy on the football thing, but I heard he's got some good ideas on the economic development. So that's my report.

Mrs. O'Donnell: Thank you Mayor. I was able to attend the Sedgwick County Association of Cities which is the SCAC meeting along with Dr. Becker and the Mayor. It was nice to go to Haysville, it was where I graduated from. In fact I had my reunion there this weekend, it was fun. I had not been in the library so Dr. Becker and I were talking about how nice it would be one day to have one like that up here. The County Manager Michael Scholes was the speaker and he kind of just went over the plan with the county and he had a great presentation that day. And I believe in October its going to be Congressman Pompeo at the next one. Those are always good with what's going on in the county. Thursday is the CCUA meeting that I'll be going to we'll probably bring up that water line, I'm going to ask a little bit about that. I just want to say thank you to Jamie Hayes she has served here in our City 7 years and she

just has a few days left. I don't want to make her cry but I really just want to publically say how much I appreciate all she's done for the City. She's been an amazing employee and now a City Clerk for us and I wish you the best of luck and we welcome our new City Clerk so thank you Jamie.

Mr. MacDonald: As you know I'm a member of the Bel Aire Lions Club and we had a meeting last Wednesday and we had some discussion, our club has contributed significantly I think to the benefit of the city. We were, one of our members attended the Chamber of Commerce meeting and then was told about the Fall Festival and he was a bit disturbed that the Lions Club had not been contacted prior to that and asked if the Lions Club would support the Fall Festival. And of course we do and there were 3 types of memberships in the pamphlet I saw from the Chamber about the Fall Festival, there was a gold, silver, and bronze and the Club elected to spend \$250 for a silver membership in exchange for a booth and advertisement. I thought I would mention that. On another subject I've had a couple of calls from citizens who live on, what's the name of that street?

Dr. Becker: Hedgerow

Mr. MacDonald: Hedgerow. And they are complaining about the condition of the street and so I drove up there this evening. I said I would 2 weeks ago and neglected to do that so I drove up and the street is not in good condition. I'm wondering if the City Engineer could look at it and see what could be done to ameliorate the condition of the street. I was told there is a great deal of traffic on that street because parents drop children off at Sunrise then they continue around that circle so there is a great deal of more traffic on that street than you would expect. The citizen who I spoke with said we would like for you to take a look at it and see if we can do something about it so that's my report Mr. Mayor.

Mayor Austin: I appreciate you bringing that up I know when we approved the budget last month we are all excited as we will be able to do some street improvements and I'll be surprised if Hedgerow is not on that list.

Dr. Becker: I'd like to follow up on that just a little bit about the Lions Club because we've had some discussion about not charging the Lions Club you know for those sponsorship things because they do so much for the city they have contributed so much. Giving us the stand over there by the REC Center and being there to help out at so many events, so I think we need to talk about that more at our next meeting.

Mayor Austin: The way I understood it was the Lions Club was going to be there but was making an additional gift to the City in sponsorship of it?

Mr. MacDonald: No there was, I think at the Chamber of Commerce meeting that people were asked to contribute to become sponsors of the event and one of the Lions were concerned that the Lions were not contacted prior to that. And yes we did contribute \$250 for a silver membership as they call it.

Dr. Becker: I just wonder if maybe the reason they weren't contacted is because we had that discussion. I don't know if we reached a formal decision yet about possibly not charging so that we need to look into that and find out exactly what's going on.

Mr. MacDonald: I believe that the Lions probably have contributed in excess of \$50,000 to the city for various programs and individuals in need and so on in the past 5 years. I'm not asking for a free membership. I just wanted to bring up the fact that the Lions were not contacted.

Mayor Austin: We absolutely want the Lions Club there and it speaks volumes that we have civic clubs that care so much about this community.

Dr. Becker: I'll go ahead with my report then. As Councilmember O'Donnell said we did attend the Sedgewick County Association of Cities meeting in Haysville, she told you about that. It was very nice to see everybody and be together with other city officials and it was especially nice to hear Mike Scholes show his organizational chart for the county and all his work he's done since he's been there. I also attended the Community Development Committee meeting last night and we had a very good discussion with almost all the members there so that was very nice. We had a couple of new members and they are really excited about planning all of the upcoming events. Which our Fall Festival will be Saturday October the 15th and the City Manager probably has more information about that that I will leave for him to share. That's gonna be exciting so everybody just get that on their calendar. This Thursday I'm scheduled to attend the REAP Legislative committee meeting so that's on my schedule too so we're back in full gear here going to meetings. I just want to take this opportunity to digress a little bit from my report. I didn't say anything quickly enough when Mr. Webster was up here talking about that intersection. I just want to share with you I wish we could do something about that yesterday because my better half works in Emporia at the university there and he just comes home on the weekends. I hear about that intersection at 45th and Woodlawn every time he comes home and I don't know how every time we drove through that intersection this weekend I heard it, well it looks like the City Council could do something about that. I would love to do something about that as soon as possible, I think we've had a lot of discussion about that cause we've heard that. Since we have the widening of the street coming up in 2020 it's just not prudent to spend all that money right now widening, improving that intersection to where we have lights or as my partner says like a real city. He just thinks it's terrible we don't have one stop light in Bel Aire, but we will have, it's on our agenda for the future. Not soon enough for me, not soon enough for him but we do have it in our plans and we know it needs to be done so I appreciate what you said, thank you. And I think that's all for me Mr. Mayor.

Ms. Martine: Mr. Mayor, before we go on to the ordinance and resolutions would it be appropriate to have Kevin go answer these people's questions?

Mayor Austin: Yeah he's going to do that when we get into ordinances and resolutions.

Ms. Martine: I think they were waiting for their answers, but that's fine.

B. Mayor's Report

Mayor Austin: On the agenda we are on reports right now so we'll finish that and move onto that, we are following the agenda here but I thank you for that. Fall Festival everybody I hope you have your calendar marked for October 15th. I'm excited as Dr. Becker and I attended the CDC meeting last night and to have 9 of our 10 members there, and the only one who wasn't there was because she had a sick baby so we thought that was an ok excuse. A lot of excitement coming off of the very popular, at capacity Hot Dawgs Pool Party in August, in September we're talking about the Fall Festival in October. Vendors, food trucks, car show, petting zoo, face painting, little hipity hopity horses that you buck and bouncy things, music, all kinds of things. I again want to thank the Lions Club for being one of the generous sponsors as is Chisholm Trail State Bank and Next Level Hoops as I understand it. So thank you for that. Just a couple of other things. If you have not yet done so check out the new belaireks.gov website. The website was long overdue for a refresh and council decided to make that a priority a few months ago and now especially with so many people communicating with us via their social media, via their aps and their Twitter, all the stuff out there, to have that new website with that new face that you can easily navigate and connect to any department. We'll soon have an app for making it even easier for all the smart phones that everyone has. Reminder that the brush pile will be open I think the first Saturday in October and that will be the last one for the year. We've had some storms last week so I see a couple brush piles around my neighborhood so I encourage everyone to take advantage of that. The CCUA meeting on Thursday I want to thank Ellie Skokan who is going to fill in for me, I have a work commitment that day. Two sad things, one, everyone knows I'm a baseball nut so it was sad to see the Wingnuts lose in game 5 of the Championship game last night. Why do I talk about the Wingnuts because TJ Mittelstaedt, a Bel Aire resident, is a veteran on the team and contributed quite a bit to the team and they took us to the wire against Winnipeg. If he's watching I want to congratulate him again. I want to wish Jamie well. I've had a lot of fun working with Jamie, we've had some late night and early weekend morning texts and phone calls and meetings up here taking care of issues as they arise and she's always had a great attitude. Jamie is going on to bigger and better things, not better but from the minor league to the big city. She's gonna go on and I completely understand why she was recruited to that role at the City of Wichita and will be missed. I want to welcome, everybody knows Stacey, she's been here for a while downstairs, she will be our new clerk here later on. Sorry to see you go, keep in touch. Jamie has bad taste in sports teams, she's getting married in November, she likes this guy named Eli Manning and the Yankees. Good luck to you.

C. City Manager Report

Mr. Lasher: Thank you Mayor, since we are talking about sports I want to talk to the NASCAR fans, so if there's any NASCAR fans around. The Number 11 FedEx

NASCAR will be at the FedEx facility in the Sunflower Commerce Park this Friday from 3-7 pm so I was notified from the Facility Manager that they are going to have the Number 11 FedEx car there so we will be Tweeting about it but I wanted to give everyone an opportunity if you like NASCAR. I know everybody likes different teams so this is the Number 11 car just to let everyone know. So that's going to be this Friday at the Sunflower Commerce Park off 53rd and Webb at the FedEx facility, it's the biggest building out there and I'm sure it will be in the parking lot so if anyone wants to look at the car it will be there. We've booked the first fall curbside cleanup day, this was something that was negotiated with Waste Connections that there will be 2 and they will be curbside. The first one we have set for October 29th, don't have all the details yet, but we will be getting that. We are working with them on the details of how it will go, what they will take, it will be large items and you will just put it out at the curb for them to pick up. There are a lot of details, probably the route and things like that and times. We'll get that information out but just wanted to let you know we have it scheduled. And like the Mayor said we're pretty happy with the new website, we already have people on there using forms that we didn't have on our old website so we know that part is working. The only glitch we've got is we also own belaireks.net and if you go to that one it is going to our old website so we don't have it pointing to the .gov yet so if you've gone to the .net and you see the old one remember to go to .gov. One Source is working on getting the .net to point to the .gov so the old one will go away but so far that's the only glitch, but if anybody notices anything that they have a problem with please let us know.

D. Committees/Boards/Commissions Reports

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS:

- A. Consideration of AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BELAIRE, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. R-13-10, R-13-13, R-13-16, R-13-29, R-13-30, R-13-31, R-13-32, R-13-34, R-13-35, R-13-36, R-13-37, R-13-39, R-13-40 AND R-13-41; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

Kevin Cowan with Gilmore and Bell gave an explanation of the assessment process and answered the questions of citizens that were made during the Public Hearing.

MOTION: Mr. MacDonald made a motion to approve **AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF BELAIRE, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. R-13-10, R-13-13, R-13-16, R-13-29, R-13-30, R-13-31, R-13-32, R-13-34, R-13-35, R-13-36, R-13-37, R-13-39, R-13-40 AND R-13-41; AND PROVIDING FOR THE COLLECTION OF SUCH**

SPECIAL ASSESSMENTS and authorize the Mayor to sign. Seconded by Ms. Martine.
Motion carried 5-0.

Roll Call:

Dr. Ramona Becker: aye Guy MacDonald: aye Betty Martine: aye

Peggy O'Donnell: aye Diane Wynn: aye

B. Consideration of accepting a proposal for engineering design of drainage improvements within the Sunflower Commerce Park Phase 2. The following companies submitted proposals:

PEC	\$44,200.00
TranSystems	\$36,500.00
Kaw Valley	\$35,200.00

MOTION: Ms. Martine made a motion to accept the proposal from TranSystems for engineering design of drainage improvements in Sunflower Commerce Park Phase 2, and authorize the Mayor to sign. Seconded by Mrs. O'Donnell. **Motion carried 5-0.**

C. Consideration of accepting the Bel Aire Community Rating System Activity 510 Progress Report for the National Flood Insurance Program as completed by the City's Floodplain Administrator.

MOTION: Ms. Martine made a motion to accept the Bel Aire CRS Activity 510 Progress Report. Seconded by Dr. Becker.

MOTION: Ms. Martine made a motion to accept and file the Bel Aire CRS Activity 510 Progress Report. Seconded by Dr. Becker. **Motion carried 5-0.**

XIII. DISCUSSION AND FUTURE ISSUES: None

XIV. EXECUTIVE SESSION: None

Mayor Austin presented City Clerk Jamie Hayes with a plaque of appreciation for her years of service to the City of Bel Aire.

Stacey Cook was sworn in as City Clerk by resigning City Clerk Jamie Hayes.

XIV. ADJOURNMENT

MOTION: Ms. Martine made a motion to adjourn. Seconded by Ms. Wynn. **Motion carried 5-0.**

Meeting adjourned at 8:25 pm

Submitted by Jamie Hayes, City Clerk/Utility Clerk

Next scheduled meeting October 4, 2016 at 7:00 pm

Notice

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times. Channel 7 rebroadcasts of this meeting are scheduled daily.

Please make sure cell phones are turned off and put away.