



**MINUTES
COUNCIL MEETING
City Hall – Bel Aire, Kansas
August 18, 2009
7:00 P.M.**

- I. CALL TO ORDER** By Mayor Harold Smith - Mayor Harold Smith called the City of Bel Aire Council meeting to order, August 18, 2009 at 7:00 p.m.
- II. ROLL CALL** Council Members present, David Austin, Gary Breault, Carolyn Marlier Peggy O'Donnell Dave Sly. Members Absent, None. Also present, City Administrator Ty Lasher, City Attorney Lee Parker, City Clerk Vicki Bradford.
- III. MOMENT OF SILENT PRAYER** – A moment of silent prayer was led by Mayor Harold Smith.
- IV. PLEDGE OF ALLEGIANCE TO THE FLAG** – Led by Mayor Harold Smith.
- V. DETERMINE AGENDA ADDITIONS:** None
- VI. CONSENT AGENDA**
 - A. Approval of minutes of the August 4, 2009 Council Meeting.
 - B. Approve accepting of a grant from ICMA for Matt Stiles to attend the annual conference.
 - C. Approve the absence of the City Administrator from the September 15th City Council to attend the ICMA Annual Conference.

MOTION: Peggy O'Donnell made a motion to approve the consent agenda as amended and authorized the Mayor to sign. Seconded by Dave Sly. **Motion carried 5-0.** Item C changing the date from Sept. 16th to Sept 15th.
- VII. DISCUSSION AND APPROVAL OF APPROPRIATIONS ORDINANCE**
 - A. Appropriations Ordinance 09-15 in the amount of \$4,620,45.85 and July Prisoner Holding Fees in the amount of \$4,039.97 to Sedgwick County.

MOTION: Dave Sly made a motion to approve Appropriations Ordinance 09-15, withhold the July Prisoner Holding fees in the amount of \$4,039.97 to Sedgwick County and authorized the Mayor to sign. Seconded by Peggy O'Donnell. **Motion carried 5-0.**

VIII. CITY REQUESTED APPEARANCES: None

IX. PUBLIC HEARING:

Public Hearing to **Consider Adoption of the 2010 Budget.**

Action: Motion to **OPEN** the Public Hearing on the 2010 Budget.

MOTION: Dave Sly made a motion to open the Public Hearing on the 2010 Budget. Seconded by David Austin. **Motion carried 5-0.**

Kent Hoffman, of 6827 E. Summerside Place addressed the Governing Body that he was not in favor of cutting the police budget.

Action: Motion to **CLOSE** the Public Hearing on the 2010 Budget.

MOTION: David Austin made a motion to close the Public Hearing on the 2010 Budget. Seconded by Peggy O'Donnell. **Motion carried 5-0.**

X. CITIZEN CONCERNS: None

XI. REPORTS:

A. Mayor's Report:

Mayor Smith congratulated Rachel Lawton of Bel Aire for being one of 12 grand prize winners in the kindergarten division for Reading Rainbow's 15th annual Young Writers and Illustrators Contest. The title of Rachel's book is "The Colorful Spider".

Mayor Smith announced the Fall Festival will be held on October 10th. The Special Events Committee is looking for volunteers to help with the Belaire Car Show.

B. Council Member Reports:

Mrs. Marlier invited senior residents to attend the Senior Center potluck dinner the first Monday of each month and Senior Club potluck dinner held on the fourth Monday of each month.

Mrs. O'Donnell thanked residents for their involvement with the 2010 budget process.

C. City Attorney Report: No Formal Report. Mr. Parker requested a 30 minute executive session for Attorney/Client Relations and Non-Elected Personnel.

D. City Administrator Report:

Mr. Lasher reported on the following:

The Central Park Pool closed on August 16th. Mr. Lasher explained the reason for closing is because students and lifeguards have returned to school.

Twenty volleyball team members for Sunrise Christian Academy volunteered to help clean-up around City Hall and wash police cars. We appreciate all their help.

E. Committees/Boards/Commission Reports: None

XII. ORDINANCES, RESOLUTIONS AND FINAL ACTIONS

A. Consideration of approving the 2010 budget and setting the mill levy at ____.

After Discussion

MOTION: Dave Sly made a motion to approve the 2010 budget as revised and reduced the mill levy from a two mill increase to one mill increase (35.908). Seconded by Gary Breault. **Motion carried 5-0.**

B. Consideration of **AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2010 FOR THE CITY OF BEL AIRE.**

MOTION: Dave Sly made a motion to approve Ordinance 483. Seconded by David Austin. **Motion carried 5-0.**

David Austin yea Dr. Gary Breault yea Carolyn Marlier yea

Peggy O'Donnell yea Dave Sly yea

C. Consideration of approving a Special Use Permit with Sunrise Christian Academy for portable lighting through 2009.

MOTION: Gary Breault made a motion to approve the Special Use Permit with Sunrise Christian Academy. Seconded by Carolyn Marlier. **Motion carried 4-0.** Mrs. O'Donnell abstained from voting.

D. Consideration of approving a police security agreement with Sunrise Christian Academy for 2009

MOTION: Carolyn Marlier made a motion to approve the police security agreement with Sunrise Christian Academy for 2009. Seconded by Dave Sly.

Motion carried 5-0.

E. Consideration of approving a change order with Unruh Excavating in the amount of \$27,000.00 for sodding around lakes in Elk Creek.

MOTION: Dave Sly made a motion to approve the change order with Unruh Excavating in the amount of \$27,000.00 for sodding around lakes in Elk Creek and authorized the Mayor to sign. Seconded by Peggy O'Donnell.

Motion carried 5-0.

F. Consideration of approving the revised preliminary and final plat for Tierra Verde South.

MOTION: Dave Sly made a motion to approve the revised preliminary and final plat for Tierra Verde South. Seconded by Carolyn Marlier. **Motion carried 5-0.**

G. Consideration of accepting revised petitions for Tierra Verde South.

MOTION: Gary Breault made a motion to approve the revised petitions for drainage and sanitary sewer for Tierra Verde South and authorized the Mayor to sign. Seconded by Dave Sly. **Motion carried 5-0.**

XIII. DISCUSSION AND FUTURE ISSUES:

- **Vicious Animals** – No action until further discussion.
- **Fireworks** – No action until after the first of the year.
- **Recycling program:** Mr. Lasher gave an overview of the pros and cons of using a recycle cart and doing away with using bags for recycling. The new program using recycling carts instead of bags should begin the first of October.

XIV. EXECUTIVE SESSION:

MOTION: Dave Sly made a motion to go into executive session for Attorney Client Relations and Non-Elected Personnel for a period of 30 minutes, and invite in the City Administrator. Seconded by David Austin. **Motion carried 5-0. Time: 8:10 pm**

Regular Meeting Reconvened at 8:40 pm. Mayor Smith stated an executive session was held for 30 minutes for Attorney Client Relations and Non-Elected Personnel and no binding action was taken.

MOTION: Dave Sly made a motion to go back into executive session for 15 minutes for Attorney Client Relations and Non-Elected Personnel. Seconded by David Austin.
Motion carried 5-0. Time 8:45 pm

Regular Meeting Reconvened at 9:00 pm. Mayor Smith stated an executive session was held for 15 minutes for Attorney Client Relations and Non-Elected Personnel and no binding action was taken.

XV. ADJOURNMENT

Action: Motion to adjourn.

MOTION: Dave Sly made a motion to adjourn. Seconded by Dave Austin.
Motion carried 5-0. TIME: 9:05 pm.

Submitted by Vicki Bradford, City Clerk
Next Regular Meeting: Sept.1, 2009 at 7:00 P.M.