

SCANNED

8-5-08

CD

Minutes

BASEHOR CITY COUNCIL

July 21, 2008

6:00 p.m.

Basehor City Hall

Official Presiding: Iris Dysart, Council President

Members Present: Terry Hill, Roger McDowell, Keith Sifford, Jim Washington

Members Absent: Mayor Chris Garcia

**Staff Present: Carl Slaugh, Mary Mogle, Gene Myracle, Dustin Smith,
Lloyd Martley, Patrick Reavey, David Lutgen**

Newspaper: Lara Hastings, *Basehor Sentinel*

In the absence of Mayor Garcia, President Iris Dysart presided over the work session and regular meeting.

WORK SESSION - 6:00 p.m.

The work session was called to order at 6:05 p.m. by President Dysart. All Council members were present. The city attorney was in attendance.

Discussion of agenda items.

b. Consider approval of a development agreement for Basehor Town Center to implement provisions in the approved benefit districts.

Mr. Slaugh reported the development agreement has been prepared and was basically the same as presented previously with a few changes. Some of the changes included the provision for a letter of credit was removed, developer would pay the 155th Street Benefit District special assessments for property owners on the west side of 155th Street, and the inclusion of a 3% administrative fee.

Councilmember Washington stated the development agreement had substantial changes and felt the agreement was excellent and reduced the City's risk. The agreement now included the developer, City of Basehor, and USD #458 Basehor-Linwood School District. Mr. Reavey stated he was comfortable that the City was protected.

President Dysart (page 5, paragraph 2) questioned why \$216,000 for construction of the water line was left out of the development agreement (page 5, paragraph 5). Council

agreed that the total project amount should be deleted entirely and revise the paragraph to read as follows:

“...with respect to the Basehor Boulevard Improvements, \$1,775,000.00; with respect to the 155th Street Improvements, \$937,500.00; with respect to the Water line Improvements, \$216,000, and with respect to the Sewer Line Improvements, \$834,000.00.”

Mr. Slaugh reported the dollar amounts shown are engineer estimates only and actual costs would be used to issue General Obligation Bonds. Project costs for a temporary construction road would be paid directly by the school and would not be included in the benefit district.

Councilmember Washington asked if the administrative fee was in the appropriate place. Mr. Slaugh reported a 3% administrative fee has been added. Mr. Reavey reported the administrative fee was shown in the “definition” section of the document.

g. Review options for improvements to 155th Street in front of Basehor Town Center and give guidance.

President Dysart asked Brett Napier, engineer for Level 4 Engineering, to explain the proposed alignment of 155th Street. Mr. Napier explained the proposed improvements would include two lanes with a turn lane on the east side of 155th Street. Mr. Slaugh explained due to the elevation difference in front of Pebblebrooke and the cost of utility pole relocation it could possibly save \$106,800 to gradually shift 155th Street east three feet. He further explained that if the sewer line running along the east side of 155th Street was not moved 3 ft. east as well, the new road would cover the sewer line and future repairs difficult and costly. MHS Solutions project engineer Dave Lutgen explained the same sewer line closer to Parallel needed to be replaced and could be encompassed within this project. It would cost approximately \$35,000 to move the sewer line east.

It was pointed out that the school district would need to pay for the temporary construction road; therefore, the clause should be deleted from the agreement.

c. Select priority street or highway projects in the area and give support for the 10-Year Comprehensive Transportation Program for Kansas.

Mr. Slaugh stated KDOT has requested cities send in their support.

President Dysart stated Item 4 was on the K-7 Corridor Plan and asked if the City could apply for funds from both plans. Mr. Slaugh stated the City could apply for funds from both projects.

Seven-minute break. (6:53 p.m.)

REGULAR MEETING – 7:00 p.m.**ROLL CALL BY PRESIDENT DYSART AND PLEDGE OF ALLEGIANCE**

All Council members were present. The city attorney was in attendance.

CONSENT AGENDA

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. July 7, 2008 Work Session & Regular Meeting
 2. July 14, 2008 work session
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events

A motion was made by Councilmember Sifford and seconded by Councilmember Washington to approve the Consent Agenda. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

CALL TO PUBLIC

Members of the public are welcome to use this time to comment about any matter relating to City business that is listed on this Agenda. The comments that are discussed under "Call to Public" may or may not be acted upon by the Council during this meeting. There is a five-minute time limit. (Please wait to be recognized by the mayor then proceed to the podium; state your name and address).

Marcia McCown (15021 Lakeview Dr.) requested Council support to reduce the speed limit in Prairie Lakes Subdivision from 30 mph to 20 mph. She pointed out the various 20 mph speed limit zones within the city limit.

Public portion of meeting closed.

SCHEDULED DISCUSSION ITEMS

None

BUSINESS

- a. *Consider a letter of commendation for police officer Mike Joslyn.*

Chief Martley introduced Officer Mike Joslyn. *(Tape 1, Side B)* Mr. Joslyn started as a part-time officer and was promoted to full-time. A commendation was presented to Officer Joslyn for his participation in preventing a home burglary.

A motion was made by Councilmember Washington and seconded by Councilmember Hill moved to prepare a resolution from the governing body endorsing the letter of commendation for Officer Joslyn. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

b. Consider approval of a development agreement for Basehor Town Center to implement provisions in the approved benefit districts.

A motion was made by Councilmember Hill and seconded by Councilmember Washington to approve the Development Agreement for Basehor Town Center to implement provisions in the approved benefit districts. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

c. Select priority street or highway projects in the area and give support for the 10-Year Comprehensive Transportation Program for Kansas.

Councilmember Washington felt it was politically astute to support another city's project in hopes they would support a Basehor project in the future.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the list of street and highway projects in the area as prepared by staff and support the 10-Year Comprehensive Transportation Program for Kansas. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

d. Consider a request from the Prairie Lake Estates Homeowner's Association to lower the speed limits in the subdivision to 20 m.p.h.

Councilmember's Washington and Hill stated they did not support reducing the speed limit within Prairie Lake Subdivision to 20 mph and recommended they contact the police chief regarding the enforcement of the current 30 mph speed limit. It was pointed out the speed limit signs in the subdivision had been removed. The city superintendent reported he had recently been made aware of the missing signs and assure the Council they would be installed this week.

President Dysart felt if the residents were requesting the speed limit be lowered, the Council should take that into consideration. Prairie Lake resident, Marcia McCown stated the Homeowners Association met a couple of months ago and the members that were present agreed that the speed limit should be reduced. Mr. Myracle recommended installing "Children Playing" signs as well.

A motion was made by Councilmember Sifford and seconded by Councilmember Washington to deny the request from Prairie Lake Estates Homeowners Association to change the speed limit within the subdivision to 20 mph. A roll call vote was taken with all members voting in favor with the exception of President Dysart. Motion passed 4-1.

e. Consider Neighborhood Revitalization Tax Rebate in Sec. 34, Twp 10, Rge 22E,

Lot 13, Block 7, as requested by Pebblebrooke, L.L.C.

The city attorney reported the application fell within the State guidelines.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the Neighborhood Revitalization Tax Rebate in Sec. 34, Twp 10, Rge 22E, Lot 13, Block 7 as requested by Pebblebrooke, L.L.C. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

f. Consider approval of a formal agreement for funding of the Kansas Sampler Festival.

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to approve the formal agreement for funding of the Kansas Sampler Festival for year 2010 and 2011 [not to exceed \$6725]. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

g. Review options for improvements to 155th Street in front of Basehor Town Center and give guidance.

Mr. Slaugh requested guidance from Council regarding improvements to 155th Street in front of Basehor Town Center. He explained there were three options:

Option A: 36-ft wide (three-lane) 155th Street with the alignment centered on the section line.

Option B: 36-ft wide (three-lane) 155th Street with the alignment centered on a line 3-ft east and parallel to the section line.

Option C: [not listed on the engineer's report] 36-ft wide (three-lane) 155th Street with the alignment centered on a line 3 ft east and parallel to the section line and move 703' of sewer line to the east. All easements and right-of-way on the west side would be retained.

A motion was made by Councilmember Washington and seconded by President Dysart to approve Option C which would move the center line 3 ft east and negotiate with the developer for additional right-of-way necessary to implement the decision. The motion did not include the sewer line; therefore, both members withdrew their motions.

A motion was made by Councilmember Washington and seconded by President Dysart to approve Option C which would move the center line 3 ft east and negotiate with the developer for additional right-of-way necessary to implement the decision and move 703' of sewer line. [Option B with the inclusion of the sewer line]. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

h. Consider authorizing repair by Leavenworth County public works crews for 158th Street from U.S. 24-40 Highway to Parallel Road and Parallel Road from 155th Street to 163rd Street.

Mr. Slauch reported Leavenworth County Public Works submitted a cost estimate of \$30,867.08 plus cost of asphalt materials for repairs to 158th Street from U.S. 24/40 Highway north to Parallel Road and Parallel Road from 155th Street west to 163rd Street. Mr. Myracle estimated the asphalt to cost approximately \$40,000-\$50,000.

President Dysart felt Parallel may require more extensive repairs since it appeared the road base was not adequate for the current traffic. Councilmember Washington stated it would probably cost over \$1 million to improve the road to arterial standards and did not feel the City had the additional funds at this time to perform the major improvement.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford moved to authorize repair by Leavenworth County public works crews for 158th Street from U.S. 24-40 Highway to Parallel Road and Parallel Road from 155th Street to 163rd Street. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Payment would be made from the Consolidated Highway Fund.

CITY ADMINISTRATOR REPORT

None

MAYOR'S REPORT

None

COUNCIL MEMBER REPORTS

None

EXECUTIVE SESSION

City Attorney Patrick Reavey requested a five-minute Executive Session to discuss an attorney-client privilege matter. He also requested the city administrator be included in the session.

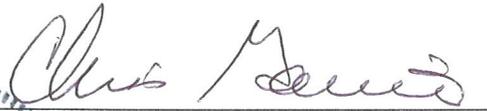
A motion was made by Councilmember Washington and seconded by Councilmember McDowell to convene into an Executive Session with the inclusion of the city administrator not to exceed ten minutes. A roll call vote was taken with all members voting in favor. Motion passed 5-0. (7:50 p.m.)

At 7:55 p.m. the regular meeting was called back to order by President Dysart. She announced that no action was taken during the session and that only the subject mentioned in the motion was discussed.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilmember Sifford and seconded by Councilmember McDowell to adjourn the meeting. A roll call vote was taken with all members voting in favor. Motion passed 5-0. Meeting adjourned at 7:56 p.m.

Submitted for Council approval with without corrections or additions this 4th day of August, 2008.



Chris Garcia, Mayor

Attest:


Mary A. Mogle, City Clerk