

Minutes

BASEHOR CITY COUNCIL

June 15, 2009

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Terry L. Hill

Members Present: David Breuer, Dennis Mertz, Bill Moyer

Members Absent: Pres. Jim Washington, Iris Dysart

**Staff Present: Lloyd Martley, Mary Mogle, Gene Myracle, Dustin Smith,
Joe McAfee, Mark Lee**

Newspaper: Kaitlyn Syring, *Basehor Sentinel* (regular meeting only)

WORK SESSION - 6:00 p.m.

The work session was called to order by Mayor Hill. All members were present with exception of President Jim Washington and Iris Dysart. The city attorney was in attendance.

Scheduled discussion items.

a. School district annexation

The school district is going to voluntarily annex into the city to get hooked up to the sewer line. This is a Leavenworth County project. The district is also looking at joining with Cedar Falls, but having some loan issues. Under policy number 4 of the plan, properties that would be connected to the city sewer system would be required to annex into the city unless the governing body decides that such annexation is not in the city's best interest. The district will have to be in the city to hook up to the sewer unless the board deems otherwise and they can still hook on if they otherwise chose. This ordinance will not violate any state laws. A meeting took place the afternoon of June 15, 2009 with the County Commissioner, David Howard, and an engineer in public works for Leavenworth County to verify they had a proposal of \$1.75 million dollars. The school will be ready 12 months from now, a little ahead of schedule and the district is pushing for a solution before they open. The county has to hold another hearing before anything further can be done; they have held two, with the last hearing being 4 months ago and they do not yet have the proper amount of public hearings. This is a county issue but the

annexation issue relates to Basehor, thus the City will be represented at the county's next public hearing. The cost of the benefit district is \$1400 per year per family for 20 years. Taking 20% of tax each year until it is paid was suggested. After the next county hearing a work session will be held. *(Mark Lee arrived at 6:21 p.m.)*

b. Tax Rebate Program

The city's stimulus package would be named a Tax Rebate Program rather than an incentive or abatement program. There are currently 560 empty residential lots ready for sale, which will create an increase in sales tax revenue. Permit fees were done away with. The City issued 59 permits last year and 12 permits so far this year. Fifty sewer connections would be needed to pay off the KDHE loan. Moving in additional residents will prevent raising taxes on current residents. The school district is also relying on new residents as a way to boost revenue. The sunset clause will be 3 years rather than 5. A 95% rebate on taxes paid for the first 5 years and 50% for the next 5 years will bring in more revenue within a shorter time period. Before passing an ordinance a meeting will be necessary to get the other taxing bodies to agree. The next step is to prepare an interlocal agreement and a presentation to share with the other entities. The mayor asked Mr. Martley to coordinate a meeting with the other taxing entities.

Ten-minute recess (6:57 p.m.)

REGULAR MEETING – 7:00 p.m.

ROLL CALL BY MAYOR TERRY HILL AND PLEDGE OF ALLEGIANCE

The regular meeting was called to order at 7:05 p.m. with a quorum of three. President Washington and Iris Dysart were not in attendance. The city attorney was in attendance.

PUBLIC HEARING – SEWER AND SOLID WASTE DELINQUENT ACCOUNTS

Ron Keopke (15528 Crestwood Dr.) reported that he received a letter regarding delinquent sewer charges that the previous owner of his home incurred. When they purchased their home, they were not aware of any amount owed, and were not told about the charges when they signed up for service. Mr. Keopke has lived there almost one year paying the bill each month, yet the delinquent amount has not shown up on any bills. The city attorney recommended the delinquent charges be removed from Mr. Keopke.

Jeff Scherer (1706 N. 150th St.) reported that he is current on his bills. He owns duplex rental properties, but the tenants are responsible for paying their own bills.

Mayor Hill closed the public portion of the hearing.

A motion was made by Councilmember Mertz and seconded by Councilmember Breuer to direct the city clerk to add a \$100 administration fee to each certified delinquent account then forward the list to the county clerk for assessment on the ad valorem tax rolls. If the ownership has changed, the previous owner will be billed directly and the new owner will not be held accountable for any previous owner's charges. Motion passed 3-0.

The public hearing was adjourned.

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. June 1, 2009 Regular Meeting
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events
- e. Approve city administrator's resignation and severance agreement

A motion was made by Councilmember Mertz and seconded by Councilmember Moyer to approve the Consent Agenda as printed. Motion passed 3-0.

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).

Jeff Scherer (1706 N. 150th St.) asked what criteria were used in the Tax Rebate Program to select properties, because the apartment complex he manages and one commercial property of his were not included. Mr. Scherer encouraged the Council to proceed with program if other taxing entities do not join in the program.

Closed public portion of meeting.

SCHEDULED DISCUSSION ITEMS

a. Consider ordinance designating a date for annual appointments of Boards and Commissions

Mayor Hill reported there was some confusion regarding the start date of each appointment that spurred the creation of the ordinance.

A motion was made by Councilmember Mertz and seconded by Councilmember Moyer to approve Item a as written. Council member's Mertz and Moyer agreed to amend their motion to accept Ordinance 556 designating the last regular meeting in June as the appointment date and for the appointment to take effect in July. Motion passed 3-0.

b. Consider appointment of Board and Commission members:

- 1. Park Advisory Board members***
- 2. Board of Zoning Appeals***
- 3. Planning Commission***

A motion was made by Councilmember Moyer and seconded by Councilmember Mertz to appoint the following:

Kevin Jones and Bob Harrison to the Planning Commission, John Dockendorf, Ty Garber, and Ken Massingill to the Board of Zoning Appeals, and Judy Goens, Margie Barlow, and Cindy Bartko to the Park Advisory Board.

Motion passed 3-0.

c. Consider Scope of Service contract with MHS Engineering for 2009 Pavement Management Plan.

Mr. McAfee reported several meetings were held to discuss available funds for this year pavement management plan to include street in Cedar Lake Subdivision. Council directed Mr. McAfee to bring back a set of plans for the council to consider on July 6, 2009 and asked the Council to authorize professional services fee for this presentation.

A motion made by Councilmember Mertz and seconded by Councilmember Moyer to appropriate the funds for this study and enter into an agreement between the City of Basehor and MHS Engineering for \$13,000 for services only and production costs will be additional as approved by city staff. Motion passed 3-0.

d. Consider resolution authorizing Mayor Hill to sign documents associated with KDHE State Revolving Loan and wastewater treatment facility expansion.

The city clerk reported KDHE requested a new resolution be adopted authorizing Mayor Hill to sign documents associated with the KDHE Loan Agreement.

A motion was made by Councilmember Moyer and seconded by Councilmember Mertz to approve Resolution 2009-10 authorizing Mayor Hill to sign documents associated with the KDHE State Revolving Loan and wastewater treatment plant expansion. Motion passed 3-0.

e. Consider resolution designating the City of Basehor's boundaries (legal description).

Mr. McAfee reported there were approximately ten new tracts annexed into the City between years 2006 and 2008. The first time in 2006 there were about six. All annexation resolutions and ordinances have been received from the clerk and reviewed by

his staff. Mr. Reavey reported a copy should be mailed to KDOT and the County Clerk for their records. The city clerk reported annexation ordinances are sent to all taxing entities but was not aware a copy was to be sent to KDOT and would add them to her notification list.

A motion was made by Councilmember Moyer and seconded by Councilmember Breuer to approve Resolution 2009-11 and map designating the new boundaries for the City of Basehor. Motion passed 3-0.

f. Consider authorization to direct the city clerk to assess administrative fee to each certified delinquent utility account and certify list with county clerk for placement on Ad Valorem Tax Roll for collection.

Item "f" was acted on during the ~~work session~~ *regular meeting and after the public hearing. (amended by council vote on 7/06/09)*

INTERIM CITY ADMINISTRATOR REPORT

Mr. Martley read the inspection report that he received from CAS Construction. A full update will be made in July. Mr. Martley and Mrs. Mogle will be attending tomorrow's Leavenworth County business luncheon.

MAYOR'S REPORT

Mayor Hill received a call last week from LKM regarding the application to publish the city administrator opening. Council members were provided a packet with guidelines and opportunities to aid in finding applicants. Each council member filled this out independently. LKM suggested it might be possible to make job offers before school starts in August.

COUNCIL MEMBER REPORTS

Dennis Mertz

Nothing at this time.

Bill Moyer

Councilmember Moyer asked if a severance check had been cut to Mr. Slaugh and asked if the amount was public record. Mrs. Mogle replied that it had been cut. The amount was over \$19,000. Councilmember Moyer stated he felt the net amount was extremely low. Mrs. Mogle reported she spoke with Mr. Slaugh prior to issuing the check and he wanted the maximum amount of taxes deducted. Mayor Hill reported he asked that Mr. Slaugh sign a waiver to that affect as well.

David Breuer

Councilmember Breuer asked for an update regarding the Falcon Lakes flooding issue. Mr. McAfee reported that he and city superintendent visited the sign, took pictures, and gathered information from residents. Councilmember Moyer asked if city engineer had a recommendation to make. Mayor Hill thought it would be in best interest of the resident for the City to get involved. Susan Taylor, one of the homeowners, said that flooding had occurred and water had reached her home. Naomi [Killpatrick] (4305 N. 141st Ct.) also gave input on the situation, asking the City to get involved. The Council was cautious to get involved, feeling that the responsibility of the situation belonged to the homeowner's association. The city engineer felt by removing a portion of land where it choked the flow of water, it would help to eliminate backup. Mr. McAfee estimated the work to cost about \$700-800. It was decided the first thing that needed to be addressed was to obtain permission from the homeowner's association to perform work on the creek.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilmember Mertz and seconded by Councilmember Moyer to adjourn the June 15, 2009 regular meeting. Motion passed 3-0. Meeting adjourned at 8:17 p.m.

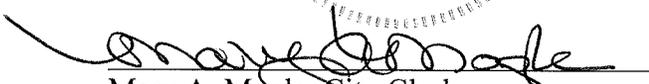
Submitted for Council approval with/without corrections or additions this 6th day of July, 2009.





Terry L. Hill, Mayor

Attest:



Mary A. Mogle, City Clerk