

Minutes

BASEHOR CITY COUNCIL

November 16, 2009

7:00 p.m.

Basehor City Hall

Official Presiding: Mayor Terry Hill

**Members Present: Pres. Jim Washington, David Breuer, Iris Dysart, Dennis Mertz,
and Bill Moyer**

Members Absent: None

**Staff Present: Mark Loughry, Lloyd Martley, Mary Mogle, Gene Myracle,
and Patrick Reavey**

Newspaper: Kaitlyn Syring, *Basehor Sentinel*

1. ROLL CALL BY MAYOR TERRY HILL AND PLEDGE OF ALLEGIANCE

The regular meeting was called to order by Mayor Hill at 7:06 p.m. with all members present. The city attorney was present.

2. 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. October 19, 2009
- b. Approve Treasurer's Report
- c. Approve calendar of events – December 2009
- d. Casey's General Store – Cereal Malt Beverage License renewal for year 2010

Amendment to October 19, 2009 Minutes –
Council Member Reports – David Breuer (page 6) Change "Moyer" to "Breuer".

A motion was made by Councilmember Mertz and seconded by President Washington to approve the Consent Agenda as presented with a correction to the October 19th minutes as noted. Motion passed 5-0.

3. 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).

No comments at this time.

UNFINISHED BUSINESS

(none to review at this time)

BUSINESS

- 4. GLENWOOD ESTATES, SEWER DISTRICT NO. 3:** Consider a resolution pertaining to connection fees for Glenwood Sewer District No. 3.

The proposed resolution would reduce the sewer connection fee to Glenwood Sewer District No. 3 residents from \$4,425 to \$2,000 per household in lieu of 100% voluntary annexation.

Council discussed the costs associated with the project and the fact that the City should not expect 100% of the property owners to sign the "Consent for Annexation" forms. Although Council Members agreed it was not the City's responsibility to reduce the connection fees, it was a legal means for the City to help the Glenwood Residents since the City did not control the area. It was suggested that the resolution be amended to include a deadline as to when the forms were to be returned to the City.

A motion was made by President Washington and seconded by Councilmember Mertz to approve Resolution 2009-20 pertaining to connection fees for Glenwood Sewer District No. 3 and include a signing date of March 1, 2010. Motion passed 4-1 with Councilmember Dysart voting against.

RES. 2009-20. A RESOLUTION PERTAINING TO ANNEXATION OF, AND CONNECTION FEES FOR, GLENWOOD ESTATES.

- 5. COLLECTION OF DELINQUENT ACCOUNTS:** Consider ordinance amending Article 1 of Chapter XV of the City Code pertaining to Utility Services.

Adoption of Ordinance 562 would allow staff to utilize different options to collect delinquent accounts. Currently liens are placed on properties or sent to the State of Kansas Setoff Program. The Setoff program has not been as successful as anticipated. Additional options would be to utilize collection agencies or in extreme cases, take the debtor to court.

Council discussed the new tenant laws, possibility of implementing a connection fee or deposits, and penalty rate.

A motion was made by President Washington and seconded by Councilmember Moyer to approve Ordinance 562 and include a 10% penalty in Section 15-108. Motion passed 5-0.

ORD 562. AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER XV OF THE CITY CODE PERTAINING TO UTILITY SERVICES

6. **AMENDMENT TO CHAPTER 1, ARTICLE 4, CODE OF BASEHOR:** Consider ordinance amending Article 4 of Chapter 1, of the City Code pertaining to Personnel Policy and Employee Benefits allowing changes to be made by resolution.

Currently the Code of Basehor does not provide language as to how changes are to be made to the Personnel Policies and Guidelines manual. By adopting the proposed ordinance it would allow amendments to be made by resolution.

A motion was made by Councilmember Moyer and seconded by President Washington to approve Ordinance 563 amending Article 4 of Chapter 1, of the city Code pertaining to Personnel Policy and Employee Benefits allowing changes to be made by resolution. Motion passed 5-0.

ORD. 563. AN ORDINANCE AMENDING SECTION 1-401 OF ARTICLE 4 OF CHAPTER 1 OF THE CITY CODE PERTAINING TO REVISIONS TO THE UNIFORM PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF BASEHOR.

7. **AMENDMENT TO ARTICLE R. EMPLOYEE RECOGNITION POLICY OF THE PERSONNEL AND GUIDELINES POLICY:** Consider resolution amending Article R. Employee Recognition Policy.

Currently the City uses the League of Kansas Municipalities Recognition program as a means to recognize employees with 10 or more years of service. LKM's program was less than desirable. Changes to the policy would allow Council to set the dollar amount and the city administrator to decide the form of service award. The policy would also add two additional categories (1) certificate for one year of service; and (2) \$50 service award for five years of service.

The city administrator noted he and the city attorney thought an additional resolution would be forthcoming addressing changes to the Personnel Policy and Employee Benefits Code. The issue was still being researched.

A motion was made by Councilmember Moyer and seconded by President Washington to approve Resolution 2009-21 amending Article R. Employee Recognition Policy. Motion passed 5-0.

RES 2009-21. A RESOLUTION AMENDING ARTICLE R OF THE UNIFORM PERSONNEL POLICIES AND GUIDELINES FOR THE CITY OF BASEHOR PERTAINING TO THE EMPLOYEE RECOGNITION POLICY

8. **AUDITING SERVICES:** Consider contract renewal for 2009 auditing services with Lowenthal Webb & Odermann, P.A.

The accounting firm of Lowenthal Webb & Odermann, P.A. will perform a GAAP audit for year 2009; with a cost not exceed \$18,400 (01-001-785 General Fund).

It is the intent of the city administrator to go out for bid for auditing services in year 2010.

A motion was made by President Washington and seconded by Councilmember Dysart to approve the renewal contract with Lowenthal Webb & Odermann, P.A. for the 2009 audit not to exceed \$18,400. Motion passed 5-0.

9. **TECHNOLOGY AGREEMENT:** Consider approval of contract for Information Technology Services.

President Washington announced he had a conflict of interested and excused himself from the room.

Several companies were interviewed regarding technology services. Out of those companies, Purple Guys provided the most comprehensive package for a reasonable price. There would be a monthly fee of \$2,075 for unlimited remote services and a \$4,150 deposit required at time of signing. The deposit would be applied to the Service Fee in the 11th and 12th month following the effective date. Additional fees would be assessed for equipment and on-site services.

A motion was made by Councilmember Breuer and seconded by Councilmember Moyer to accept the contract agreement with Purple Guys as presented. Motion passed 4-0.

10. **CITY ADMINISTRATOR REPORT**

- *Check Register* – Two separate check registers were included in the City Administrator report since there were two runs of checks made since the last Council meeting.
- *Park & Tree Advisory Board* – Due to lack of agenda items, the Park & Tree Advisory Board will not meet again until March 2010.
- *Potential Business* – Currently working with a company that would like to locate to Basehor. He is in the process of researching codes to see if they need to be changed to accommodate the business.

11. **MAYOR'S REPORT**

a. VFW Senior Thanksgiving Dinner, Nov. 21, 2009 – Mayor Hill reminded Council Members that their presence was requested to assist with the VFW Senior Dinner on November 21, from 5:00 p.m. to 8:00 p.m.

VFW member Ed Bush noted Council could work as long as they wanted to and were not expected to work the entire evening, it was their choice. They anticipate feeding approximately 200 people.

12. COUNCIL MEMBER REPORTS

Dennis Mertz

Councilmember Mertz reported he has been working with the Basehor Athletic Association and the city administrator to see what the City of Basehor could do to help the organization with their financial needs. The organization was requesting the City assist with a \$10,500 donation to make an interest payment that was due in October. If assistance could not be given at this time, they would petition to the School District and City to hold an election to create a Recreation Commission.

Council discussed whether it was advantageous to contribute since there was no way of recouping the money at this time.

Council agreed to add the topic to the next work session agenda. Councilmember Mertz and city administrator would research placing a question on the ballot to create a Recreation Commission.

Councilmember Breuer suggested developing a good plan ready to present to the public prior to placing on the ballot.

Bill Moyer

Councilmember Moyer reported at the last meeting he was harsh with his comments [regarding the Basehor Athletic Association] that got published in the newspaper. He wanted to go on record that he would support a Recreation Commission and would like to see it managed properly.

Fees from other sports districts were discussed.

Iris Dysart

KDOT Reimbursement – Councilmember Dysart questioned if reimbursement of \$135,000 for the triangle property [150th & 24/40 Hwy] had been received. The city administrator reported he did not think it had but would check with the treasurer again. He explained that several calls and emails had been sent back and forth to KDOT and was advised that it was being processed.

TDD Payment Process - Council discussed how the payment process would work regarding collection and repayment of the Wolf Creek Transportation Development District loan.

David Breuer

Councilmember Breuer noted he had an issue to discuss but would reserve discussion until after he discussed it with the council president and mayor.

Rebate Program – Discuss at a future meeting ideas for advertising and promotion of the new rebate program.

13. EXECUTIVE SESSION (if needed)

None needed.

14. ADJOURNMENT

A motion was made by President Washington and seconded by Councilmember Breuer to adjourn the November 16, 2009 regular meeting. Motion passed 5-0. Meeting adjourned at 8:40 p.m.

Submitted for Council approval with/without corrections or additions this 21st day of December, 2009.



Mayor Terry L. Hill

Attest:



Mary A. Mogle, City Clerk

