

Minutes

BASEHOR CITY COUNCIL

August 17, 2009

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Terry L. Hill

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

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

Newspaper: Kaitlyn Syring, *Basehor Sentinel*

WORK SESSION - 6:00 p.m.

The work session was called to order at 6:00 p.m. with all members present with the exception of President Washington. The city attorney was in attendance.

ADMINISTER OATH OF OFFICE TO CITY ADMINISTRATOR

Mayor Hill introduced city administrator Mark Loughry. The city clerk administered oath of office. (*President Washington arrived at 6:03 p.m.*)

Mr. Loughry announced he was glad to be in the community and looked forward to working for the City for many years to come.

Scheduled Discussion Items

a. Basehor Town Center project update (written report only)

Mr. Martley gave a report regarding the written report on the status of Basehor Town Center. Councilmember Mertz asked when sidewalks would be installed. Mr. Martley reported he thought it would be about 60 days before completion.

Discussion of agenda items.

a. Consider ordinances adopting 2009 Standard Traffic Ordinance (#558) and Uniform Public Offense Code (#559)

Mr. Martley reported annually legislation is passed creating new laws pertaining to traffic and public offense codes. In order for the City to enforce the laws, it was necessary to adopt the current Standard Traffic Ordinance and Uniform Public Offense Code. He also gave an updated on some of the new laws.

- b. Consider contractor payments for Wolf Creek Parkway project, TR 0125 loan*
- c. Consider contractor payments for triangle project, KDOT 331-08 Agreement*

Mayor Hill asked if a clear title had been obtained for the triangle property at 150th & 24/40 Hwy. Mr. Reavey reported the title has been recorded; however, he has not received the title work. Mr. McIntosh reported the paperwork was with the title company to process and did not feel there would be an issue in providing the City with a clear title in the near future.

- d. Consider setting public hearing for amendment of the existing Neighborhood Revitalization Plan, and adoption of Neighborhood Revitalization Plan No. 2 (Sept. 10, 2009, 7:00 p.m.)*

Mr. Reavey reported he met with the building inspector last week and went through all the information that needs to be included in the proposed plan and should be ready next week. Mr. Loughry suggested making a motion to hold a public hearing contingent on all the paperwork being ready.

Councilmember Breuer reported he and the interim city administrator presented the plan to [Leavenworth] County Commissioners last week. The Board indicated they would support the resolution. He would touch base with the fire department and library board before the September 10th meeting to answer any questions they may have.

Burns & McDonnell invoice.

Councilmember Mertz asked Mr. Martley if he was comfortable with payment to Burns & McDonnell. Mr. Martley reported it was an oversight and that the payment should have been added to the agenda. He noted the paperwork was in order and recommended approval.

John Deere Tractor Repairs

Councilmember Mertz reported there was an emergency situation that required a \$7300 repair to the John Deere tractor. He recommended changing the policy that would allow the mayor and city administrator to approve emergency repairs up to \$10,000. Mr. Martley gave a summary report regarding the tractor repairs.

Mr. Loughry suggested amendments to the purchasing policy noting that state statute allows the city administrator to approve emergency purchases in some cases.

Work Session Recessed at 6:25 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 7:00 p.m. with all members present. The city attorney was in attendance.

PUBLIC HEARING – 2010 Budget

Mayor Hill opened the public hearing and asked for public comment. There being none a motion was made by President Washington and seconded by Councilmember Mertz to close the public hearing. Motion passed 5-0.

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. August 3, 2009 Regular Meeting (to be approved on 9/10/09)
 2. August 10, 2009 Work Session (no meeting, record only)
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events

A motion was made by Councilmember Mertz and seconded by Councilmember Dysart to remove check #16932, 16925, 16907, and 16910 from the Consent Agenda since they were included in the Business Item "b" portion of the meeting.

A motion was made by President Washington and seconded by Councilmember Moyer to approve the Consent Agenda less payments [as so stated in the previous motion]. 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).

None – public portion of the meeting closed.

SCHEDULED DISCUSSION ITEMS

- a. Basehor Town Center project update (written report only)

Discussion took place during the work session.

BUSINESS

Councilmember Mertz moved to consider payment to Burns & McDonnell from the last council meeting as item "e". Following discussion, he withdrew his motion.

A motion was made by Councilmember Mertz and seconded by President Washington to add Business Item "e" to the agenda for payment consideration to Burns & McDonnell in the amount of \$21,271.23 on check #16852. Motion passed 5-0.

a. Consider ordinances adopting 2009 Standard Traffic Ordinance (#558) and Uniform Public Offense Code (#559)

A motion was made by Councilmember Breuer and seconded by Councilmember Dysart to approve Standard Traffic Ordinance #558 as presented. Motion passed 5-0.

ORD. 558 – AN ORDINANCE AMENDING CHAPTER XIV, TRAFFIC ARTICLE 14-101, OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

A motion was made by Councilmember Breuer and seconded by Councilmember Dysart to approve Public Offense Ordinance #559 as presented. Motion passed 5-0.

ORD. 559 – AN ORDINANCE AMENDING CHAPTER XI, PUBLIC OFFENSES, ARTICLE 11-101 OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

b. Consider contractor payments for Wolf Creek Parkway project, TR 0125 loan

President Washington noted he had not seen work performed on the road and parking lot to the east and questioned if there would be enough money left in the fund to pay for construction.

Mr. McAfee gave an update on the project explaining he was in the process of obtaining information on a change order and water line installation. He reminded Council that the retaining wall and landscaping was bid as an alternate and if there was not enough money in the fund to perform the work, the developer would be responsible for the cost.

Mr. McAfee reported the City does not have a construction bond at this time. Mr. McIntosh stated the work would be completed in stages if money runs out.

Councilmember Moyer asked for a completion time. Mr. McAfee stated he thought Wolf Creek Parkway would be completed in about 35 days (from when the force main relocate began) and estimated it would cost about \$3,000 to relocate the force main. Council stated they would be amiable to a special meeting to consider the change order cost of relocating the forcemain only if all the paperwork was in order.

Councilmember Mertz asked why there was a difference of \$2427.50 on the itemized spreadsheet provided by MHS Engineering. Mr. McAfee reported the invoices did not belong in the pay request since they were for other projects unrelated.

A motion was made by Councilmember Mertz and seconded by President Washington to approve checks 16932 to MKEC, 16925 to Kleinfelder, 16907 to City of Basehor, 16910 to Consolidated Rural Water District No. 1 and approve a check to be written to Blacktop Paving in the amount of \$38,530.89 [pay request no. 3] contingent on lien releases. Motion passed 5-0.

c. Consider contractor payments for triangle project, KDOT 331-08 Agreement

Councilmember Mertz questioned if the City should wait to make payments until a clear title was provided.

A motion was made by Councilmember Breuer and seconded by President Washington to authorize contractor payments in the amount of \$12,300 for the Triangle Project 331-08 contingent that title work was approved by the city attorney. Motion passed 5-0.

d. Consider setting public hearing for amendment of the existing Neighborhood Revitalization Plan, and adoption of Neighborhood Revitalization Plan No. 2 (Sept. 10, 2009, 7:00 p.m.)

President Washington asked if it was necessary to have all documentation complete prior to publication date. The city attorney reported as long as the plan itself was complete, it would be acceptable. He thought the building inspector would have the property documentation ready sometime next week.

A motion was made by President Washington and seconded by Councilmember Breuer to set public hearing for amendment of the existing Neighborhood Revitalization Plan, and adoption of Neighborhood Revitalization Plan No. 2 for September 10, 2009 at 7:00 p.m. Motion passed 5-0.

A motion was made by President Washington and seconded by Councilmember Breuer to add Business Item "f" to agenda adopting 2010 Budget. Motion passed 5-0.

e. Consider payment to Burns & McDonnell.

A motion was made by President Washington and seconded by Councilmember Breuer to pay Burns & McDonnell \$21,273.23 on check #16852. Motion passed 5-0.

f. Consider adoption of 2010 Budget

A motion was made by Councilmember Breuer and seconded by President Washington to adopt the 2010 Budget as published. Motion passed 5-0.

CITY ADMINISTRATOR REPORT

Mr. Martley wanted to thank the mayor and governing body for allowing him the opportunity to being the interim city administrator. He thought it was interesting that it was always brought to his attention that he wore a gun.

Mr. Loughry thanked the governing body for the opportunity and look forward to working for the City.

MAYOR'S REPORT

Mayor Hill reported when he attended the first staff meeting and announced he was making Chief Martley the interim city administrator, staff members assured him it was not necessary to hire a "Range Rider" and that they could handle things until a new administrator was hired and they did. He expressed his thanks to Chief Martley for taking over the temporary position.

COUNCIL MEMBER REPORTS

David Breuer

Councilmember Breuer echoed Mayor Hill's comments regarding Mr. Martley and thanked him for the job as interim city administrator and encouraged staff and council to provide support for the new city administrator. He expressed his excitement for the future of Basehor.

Jim Washington

~~President Washington reported occasionally has the opportunity to correspond with Senator Pat Robert's office. Recently was asked by the student director how things were going in Basehor. President Washington responded that he hoped to bring Basehor into the 20th Century; however, he felt with the new governing body that that took office four months ago would move the City into the 21st Century. And with the hiring of Mark and corroboration of the governing body the community will be at the cutting edge community.~~ *Amended 9/10/09 to read, "President Washington reported that he occasionally corresponds with Senator Pat Roberts office. Recently he was asked by the Senator's state director, Chad Tenpenny, how things were going in Basehor. President Washington responded to him that things were going extremely well, that when he first got involved in city government his objective was to bring Basehor into the 20th Century; however he felt that with the new governing body that took office four months ago, he felt that the city has moved into the 21st Century, and with the hiring of Mark Loughery and the excellent collaboration of the governing body, this city will be the cutting edge community of the Kansas City metro by the time the next governing body is elected."*

EXECUTIVE SESSION

A motion was made by President Washington and seconded by Councilmember Breuer to discuss non-elected personnel not to exceed ten minutes. President Washington asked that Council only attend the session. (7:33 p.m.) Mayor announced the meeting would reconvene at 7:43 p.m.

At 7:43 p.m, the regular meeting was called to order.

A motion was made by President Washington and seconded by Councilmember Mertz to add Business item "g" to consider a bonus for interim city administrator for the period of time he held the job. Motion passed 5-0.

g. Consider a bonus for interim city administrator for the period of time he held the job.

A motion was made by President Washington and seconded by Councilmember Moyer to award the interim city administrator Lloyd Martley a bonus as determined by the Governing Body for recognition of many additional hours of excellent work and leadership he showed as interim city administrator in the amount of \$3,000. Councilmember Breuer explained to the audience the reason for the bonus was that Mr. Martley worked 80-100 hrs of extra time during this time frame. Motion passed 5-0.

ADJOURNMENT

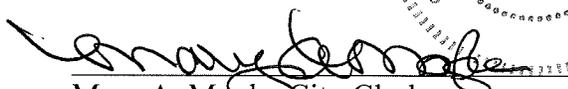
There being no further business, a motion was made by Councilmember Mertz and seconded by Councilmember Moyer to adjourn the meeting. Motion passed 5-0. Meeting adjourned at 7:48 p.m.

Submitted for Council approval with/without corrections or additions this 10th Page 7 of 8 day of September, 2009.




Terry L. Hill, Mayor

Attest:


Mary A. Mogle, City Clerk

Mary Mogle

From: jpWASHINGTON@sbcglobal.net
Sent: Thursday, September 10, 2009 11:20 AM
To: Mary Mogle
Subject: Minutes

Mary:

Please correct the August 17th minutes as follows:

Council Member Reports:

Jim Washington

President Washington reported that he occasionally corresponds with Senator Pat Roberts office. Recently he was asked by the Senator's state director, Chad Tenpenny, how things were going in Basehor. President Washington responded to him that things were going extremely well, that when he first got involved in city government his objective was to bring Basehor into the 20th Century; however he felt that with the new governing body that took office four months ago, he felt that the city has moved into the 21st Century, and with the hiring of Mark Loughery and the excellent collaboration of the governing body, this city will be the cutting edge community of the Kansas City metro by the time the next governing body is elected.

Thanks JPW