

Minutes

BASEHOR CITY COUNCIL MEETING

May 7, 2007

6:00 p.m.

Basehor City Hall

**Official Presiding:** Mayor Chris Garcia

**Members Present:** Pres. Terry Thomas, Iris Dysart, Terry Hill, Keith Sifford,  
Jim Washington

**Members Absent:** None

**Staff Present:** Carl Slaugh, Mary Mogle, Dustin Smith, Gene Myracle,  
Terry Horner, Dave Lutgen, Joe McAfee

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**WORK SESSION – 6:00 p.m.**

The work session was called to order by Mayor Garcia at 6:00 p.m. with all members present. City Attorney John Thompson was not in attendance.

**1. 24-40 Corridor Study Presentation.**

Planning Director Dustin Smith gave a presentation regarding the proposed 24-40 Highway Corridor Study. He explained he was looking for Council direction on access management and points of access to 24-40 Highway. He noted a survey was conducted, and from that survey, the residents expressed their desire to keep the highway with favorable mobility; which meant fewer access points. Access management would allow for one stop light every mile and requested input regarding where Council desired signalized intersections.

**2. Discussion regarding agenda items.**

***Business Item "c". Platting Requirements for First Baptist Church.***

Planning Director Dustin Smith reported the First Baptist Church had requested a building permit for an addition to the existing church (located at 1410 N. 155<sup>th</sup> St.). A site plan had been submitted for Planning Commission approval. It is his opinion the property should be platted based on requirements listed in Section 1-104(3) of the Subdivision Regulations. He noted the church was questioning his interpretation of the regulation and that was why it was forwarded to the City Council.

President Thomas asked what the issue was with platting the property. Mr. Smith commented the property was unplatted and that current planning standards recommend platting in order to control easements and right-of-way. President Thomas asked if First Baptist Church was also addressing the excise tax requirement. Mr. Smith explained Ordinance #387, Transportation Excise Tax requires that an excise tax be collected when a property is platted or a building permit is issued on anything other than residential permits, therefore, excise tax should be collected if the property was platted or unplatted.

Councilmember Washington questioned the current zoning and when the property was annexed into the City. Mr. Smith stated the property was zoned R-0 Rural Residential and he was unclear as to the time of annexation.

Councilmember Sifford asked if there had been a waiver of this nature in the past. Mr. Smith reported a church north of town received a waiver of building permit for some remodeling they performed on the building.

Councilmember Washington suggested that non-profit organizations were not taken into consideration when the ordinance was adopted. Mr. Smith noted a church places a burden on city streets just like any other business and should be treated as such, he did not recommend waiving the excise tax and felt the property should be platted in order to control easements.

Councilmember Dysart stated the city attorney informed her Basehor did not require platting, only if easements were needed. Mr. Slauch noted there were varying opinions, one opinion was based on the subdivision regulations and the second was that a precedent had already been set. Councilmember Dysart stated the church was not causing any traffic problems on 155<sup>th</sup> Street and, in addition, they were willing to give an easement. She cautioned the Council to be careful how they act since Holy Angels will be coming in the future for their expansion, which would be larger than First Baptist Church.

Councilmember Washington asked for clarification that it was the position of the staff that the platting was not necessarily the trigger to charge excise tax. Mr. Slauch stated if they are platted, they pay excise tax. Mr. Smith reported the church would have to pay excise tax when they get a building permit in accordance with the ordinance.

***Business Item #1. Public Hearing – Falcon Lakes Reassessments.***

Mr. Slauch reported Falcon Lakes Special Assessments were put into place by an ordinance adopted in year 2005. The assessments were to apply to all buildable lots in Falcon Lakes subdivision. After receiving the first assessments, the developer noticed he was being assessed for lots that should not have been assessed. The city engineer compiled maps and spreadsheets depicting which lots should be affected.

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City Engineer Joe McAfee reported he and his staff were directed to research and make the necessary changes to the assessments for the golf course, facilities area, and green space that was assessed in 2005 and 2006. Mr. McAfee stated when he initially met with the developer, he was told by Mr. Ferzandi it was not necessary to redo 2005 and 2006, but to move forward with corrected data. He found that the developer had over paid \$91,276.00 and explained the process he went through to come up with the correct assessments. He noted it had not been determined who made the initial error. Once the assessments are approved by the City Council, the city clerk will file the assessments with the county clerk.

Mr. McAfee pointed out engineering fees were created during this process and assessed to the new calculations; however, at the will of the City Council, they were taken out of the administrative fees initially assessed.

***Business Item "b". Consider Chamber of Commerce sign proposal.***

Mr. Slauch reported the Chamber of Commerce has made a proposal to change the "Welcome to Basehor" signs currently located at 155<sup>th</sup> Street & 24-40 Highway and other locations. The cost of improvements for the sign at 155<sup>th</sup> & 24-40 Highway is around \$10,000. One issue was it would take approximately \$3,000 for electrical hookup. Last year the City gave \$2,500 and has set aside another \$3,000 for this year; however, they need additional funds to cover the electrical hookup and asked if the City would provide those funds. KDOT has given preliminary approval for the design of the signs and locations.

Debbie Bonee, Chamber of Commerce Vice-President, reported she has worked on the sign project for about six months. They prioritized the signage needs and explained their reasoning for each location. She explained the Chamber had \$6275 to go toward the signs; however, it was not enough to complete all the locations. She felt the third priority, 155<sup>th</sup> Street at north city limits and 158<sup>th</sup> Street at south city limits, could be deferred until 2008, if the City was unable to provide the additional \$3000 for next year.

Mr. Washington noted the comprehensive plan stated "city identity" was a priority and supported the expenditure.

Councilmember Dysart pointed out the Chamber never received their funding in 2005 and thought that money could go toward the \$1,500. It was pointed out that funds do not accumulate from year to year unless budgeted specifically in that manner.

***Business Item "f". Consider contractor bid for 147<sup>th</sup> Street & Parallel improvement project.***

City Superintendent Gene Myracle reported bids were advertised for improvements to

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147<sup>th</sup> Street. Ten bids were received with H.E. Miller & Sons being the low bid. The city engineer reviewed the submitted bonds, insurance, and paperwork and all were in order.

***Business Item "g". Consider amendment to the Hollingsworth Road project replacing chip & seal with asphalt overlay.***

Mr. Slaugh reported there has been a recommendation to change from a chip and seal surface to asphalt from Maciaszek's driveway (station 38+00) east to K-7 Highway on Hollingsworth Road. The difference in cost would be \$165,513. The Falcon Lakes Transportation fund has approximately \$286,000 as of May 1, 2007. The amount does not agree with the developer and needed to be researched. President Thomas stated once the road was completed, more homes would be sold; which would make up the difference of the cost for asphalt.

***Business Item "h". Consider approval of Change Order No. 1 in the amount of \$6,500 to add a 36-inch RCP with end sections to the Hollingsworth Road project.***

Mr. Slaugh explained Leavenworth County Public Works Dept. felt the tube was too low and should be raised and more fill dirt would be utilized. The additional cost was \$6,500. President Thomas asked if they took into consideration the asphalt. Mr. Slaugh stated yes. President Thomas asked if the excise tax paid by Hollingsworth Estates could be used toward this project. Mr. Slaugh stated it would be included with the payment and noted some of the excise taxes collected from Falcon Lakes would go toward the improvements of 147<sup>th</sup> Street south to Donahoo.

Five minute break. (6:55 p.m)

### **REGULAR MEETING – 7:00 p.m.**

#### **ROLL CALL BY MAYOR CHRIS GARCIA AND PLEDGE OF ALLEGIANCE**

All members present. City Attorney John Thompson was not in attendance.

Mayor requested a moment of silence for the community of Greensburg, Kansas recently destroyed by a tornado. *(Tape 1, Side B)*

#### **PUBLIC HEARING – FALCON LAKES REASSESSMENTS**

##### *Staff Comments*

City Administrator Carl Slaugh reported the purpose of the public hearing was to correct

some errors on properties that should not have been assessed originally which lowered the assessable space down to 10,792,769 sq. ft. The assessments are being spread out until year 2019. He explained the different entities involved in the original bond issuance and who had recently worked on the reassessments.

City Engineer Joe McAfee reported he was directed to review the assessments to see if the bond issuance was laid out in accordance with the ordinance. They found that the golf course (Tract b, Tract c, and Tract d) were a part of the initial calculation and should not have been assessed. They also found that the orange area was overcharged as well. Falcon Lakes Parkway was also being included in the assessment price and should not have been. He found there were two owners who overpaid. A letter was submitted by Falcon Lakes Homes Association that requested the amount be researched to separate Falcon Lakes LLC and Falcon Lakes. He said he was careful not to combine the two. They found that \$91,276 was over paid and that \$77,956 of the \$91,276 was overpaid by the golf course area and another portion overpaid \$13,000. He explained an administration cost will occur as the subdivision develops other phases. Once they found the overpayment, the next step was to figure out how to spread the assessment out over the buildable lots. A small portion was being carried by the existing homeowners and the majority will be paid by future land owners.

He addressed the letter submitted by Falcon Lakes Homes Association which he was asked to review because the Homes Association took issue with how the repayment for the errors was being allocated to the Falcon Lakes Home Association lot owners. Mr. McAfee addressed three statements made in the letter:

- 1) The letter stated that the Falcon Lakes Homes Association existing lots were being asked to pay 100% of the previous errors. Mr. McAfee stated that this was the case in an earlier spreadsheet. However, once the error was brought to his attention the error was corrected and the final spreadsheet indicated that the existing homes in the Homes Association would be responsible for approximately 33% of the repayments, which was the equitable and correct allocation.
- 2) The letter stated that the City should bear the entire repayment of the errors since the City erred in the original assessments. Mr. McAfee stated that he had worked for some time with City Administrator Slauch in trying to determine who made the original error, but it was determined that the error could have been made by the Developer's Engineer or the City Planning & Zoning Director at the time of the development but it was impossible to determine the source of error with 100% accuracy. Thus, Mr. McAfee stated that he did not agree that the City should bear the repayment liability of the errors.
- 3) The letter stated that the repayment allocation created an "unjust enrichment" for the previous owners of the properties of the Falcon Lakes Homes Association lots because the previous owners paid a lesser amount for Calendar Years 2005 through 2007 and the

current and future owners were being asked to pay for past errors for Calendar Years 2008 through the life of the special. Mr. McAfee stated that staff did not have the ability to economically research each different property owner for all lots for each of the Calendar Years 2005 through 2007. He further stated that the City may still find it impossible to collect funds from the previous owners since they no longer received tax statements on properties. Mr. McAfee closed with stating that the proposed spreadsheet allocating the past errors simply corrects past errors so future payments can be made based on what the original ordinance spelled out and to proceed onward with the current allocation would represent a greater "unjust enrichment" for certain property owners.

Mr. McAfee stated that if the overpayments are taken out of the proposed specials repayment spreadsheet then the remaining cost amounts are the factual amounts that the ordinance intended. Thus, Mr. McAfee did not agree with issues raised in the letter and stated that all corrections to the spreadsheet had been made.

#### *Council Discussion*

There was no discussion at this time.

#### *Public Comment (five minutes per person)*

Mark Putman (14155 Belrive Circle) announced he was the author of the letter that was provided to the governing body earlier today referenced by the city engineer. Mr. Putman pointed out based on earlier conversation, the City Council did not feel they should revise the spreadsheet based on when people actually took ownership of the property because the administrative cost would be too great. He did not feel what was being considered for approval was a fair solution, and put the cost on the backs of the current homeowners. He felt the City created a new class of inequity by not finding out who lived in the properties the first two years. If the City did not want to go through that process, it should come out of the general fund, not the property owners.

John Green, home under construction at 4307 141<sup>st</sup> Court, bought lot in January and felt it was unfair to go back and make him pay for something the developer should have given to him free and clear and was never brought to his attention when he purchased the lot. He did not feel it was fair to people who did not live there before it came up and new home owners should have been told about the assessment when they purchased the property.

John Dockendooff (4904 Clubhouse Drive) reported he as well was never told about the assessment and asked to have the spreadsheet explained to him. The city administrator explained the spreadsheet via a PowerPoint presentation. The spreadsheet showed Mr. Green would have a repayment of \$104.75 over the next eleven years. Mr. McAfee noted an average lot would have paid about \$308 over eleven years all along if the first

spreadsheet would have been calculated correctly. Mr. Green in summary he still did not feel like new owners should have to pay anything.

Dean Oakes (14115 Pine Valley Court) stated his issue was with the City and the bond counsel and felt the City should be accountable for the discrepancy, not the property owners.

George Smith (14920 Parallel) stated he had listened to discussion in past council meetings and it was not costing the new owner any more because the new owner would have passed it along. He commented, a resident of Basehor, did not have anything to do with Falcon Lakes and should not have to pay to make up the difference.

Jim Hevel (14105 Wingfoot Ct) stated he had only heard two possible solutions, the homeowners of Falcon Lakes or city-at-large pay the difference and felt there was another solution by finding out who was responsible for the discrepancy and charge them (i.e. bond counsel, bond agent, developer's engineer).

There being no further comments from the public, the public portion of meeting was closed.

A motion was made by Councilmember Hill to require the city-at-large to pay the portion of the increase of the underpayment in the amount of \$91,276 and homeowners pay the adjusted assessment which represents the accurate amount. Motion died for lack of second.

Councilmember Washington reported it would cost a significant amount of money for the City to research when all the properties were sold and that cost would be born by the benefit district. He felt the money would be better spent spending the dollars on improvements to Hollingsworth Road.

#### *Action Item*

A motion was made by Councilmember Sifford and seconded by Councilmember Washington to approve the reassessments as presented with 100% of the repayment being collected by the property owners of Falcon Lakes. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Mayor Garcia closed the public hearing at 7:44 p.m.

#### **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. April 9, 2007 Work Session
  2. April 16, 2007 Regular Meeting
- 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 Thomas to approve the Consent Agenda as presented with corrections to the April 9<sup>th</sup> minutes reflecting that President Bonee presided over the work session rather than Mayor Garcia and that Councilmember Sifford was not in attendance as well. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

The city clerk announced items "k" and "l" was duplicated and had been corrected on the agenda prior to the meeting.

#### **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).

#### **a. *Loretta Sketers***

##### ***Re: Condition of Street at 15519 Pebble Drive, Iron Creek Subdivision***

Mrs. Sketers presented photographs of a section of Pebble Drive Street where it was deteriorating due to underground springs that cause the street to sink. She also noted two other locations at 15519 and 15517 that have experienced the same problems. Patching had taken place which did not help, and thought the quality of the asphalt was lacking since there appeared to be a lot of rock underneath. She requested there be more investigation to see why the street was sinking.

Mayor Garcia stated he had spoke with Mrs. Sketers earlier and suggested the project be placed on the capital improvement project list. The city superintendent said the only way to fix the problem was to mill out the area and re-asphalt. Mrs. Sketers thought some of the problems occurred when the sewer line was laid; heavy construction equipment came down the street in question.

#### **b. *Citizen Comments Regarding Agenda Items***

**Brad Harrington** stated he lives on Pebble Drive and thought the City should have an engineer re-evaluate the area to see if the water could be diverted.

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**Al Knapp Jr., represented First Baptist Church**, reported the church property had been surveyed numerous times and did not understand the requirements for platting and transportation excise tax. They are not adding to the traffic but merely seeking approval of the building permit.

**Bill Hooker (15601 Iron Creek Dr.)** stated he was speaking on his own regarding platting requirements for First Baptist Church. He said the ordinance does not distinguish between retail, churches, etc. and requested the excise tax be waived since the church was a not-for-profit organization.

**Duane McCracken (1607 Freeman Drive)** commented that the two gentlemen who spoke for First Baptist church have been long time tax payers of the Basehor area and want to see Basehor move forward. The church has been in the community for eighty-six years.

There being no further comments from the audience, Mayor Garcia closed the public portion of the meeting.

#### SCHEDULED DISCUSSION ITEMS

*a. David Breuer, Falcon Lakes Homes Association  
Re: Hollingsworth Road Improvement Project*

David Breuer (14141 Nelson Court) would like to see the City move forward with improvements to Hollingsworth Road. He explained the amount of revenue generated by the homes in Falcon Lakes to date:

128 homes at \$2405/Transportation Fee	\$307,000
Hollingsworth Estates Excise Tax	\$ 40,000
Interest Generated in the Fund	<u>\$ 36,000</u>
Estimated Falcon Lakes Fund	\$387,840

He pointed out the Falcon lakes area was generating approximately \$220,000 into the General Fund which goes toward the "greater good" of the community. In five years, Falcon Lakes has increased the assessed valuation \$51 million. He felt improvements to Hollingsworth Road have been delayed and no one was stepping up to the plate to get the project completed *(Tape 2, Side A)* and did not feel Leavenworth County was putting tax dollars collected from the south end of the county, back into the area and suggested the City research the issue.

Mayor Garcia stated he would argue the fact the City had not done anything about the project. He agreed he did not know why there had been changes from chip and seal to asphalt; however, he felt the City does the best job they could, easements had to be

acquired which took longer than anticipated. Councilmember Sifford noted there were also utility relocation issues.

Mr. Breuer felt the project had been put on the back burner and asked if there was a schedule of completion. Mr. Slaugh said it would be completed thirty days after it would quit raining or dry enough for them to move equipment in.

Mr. Slaugh said there was a difference when you have a contractor that you could collect liquidation damages verses the County.

### **BUSINESS**

***a. Consider proclamation proclaiming May 15 as Peace Officers' Memorial Day and hereby recognize the week of May 13-19 as Police Week.***

A motion was made by President Thomas and Councilmember Sifford to approve the proclamation presented proclaiming May 15 as Peace Officers' Memorial Day and recognize week of May 13-9 as Police Week. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***b. Consider Chamber of Commerce sign proposal.***

A motion was made by President Thomas and seconded by Councilmember Sifford approve additional \$3000 for signage and the fund to be determined by the city administrator. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***c. Consider platting requirements for First Baptist Church.***

A motion was made by President Thomas and seconded by Councilmember Thomas Hill (*amended 5/21/07*) to require First Baptist Church to plat and waiver transportation excise tax requirement (based on the fact they were a not-for-profit organization). A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***d. Consider Neighborhood Revitalization Application for property located at 1106 N. 155<sup>th</sup> St. as submitted by Rosenthal Family Trust.***

A motion was made by President Thomas and seconded by Councilmember Sifford to approve the Neighborhood Revitalization Application for property located at 1106 N. 155<sup>th</sup> Street as submitted by Rosenthal Family Trust. Discussion followed. President Thomas asked the city clerk if all requirements had been met by the applicant. She responding yes and that the applicant had filed in a timely manner. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***e. Consider resolution supporting Sunset Ridge Independent Living Apartments contingent on Planning Commission approval.***

A motion was made by Councilmember Sifford and seconded by President Thomas to approve the resolution supporting Sunset Ridge Independent Living Apartments contingent on Planning commission approval. Discussion followed. President Thomas asked why it was necessary to pass a resolution. Planning Director Dustin Smith said it would allow the company to resubmit for tax rebates. Councilmember Washington asked if Mr. Breuer was going to add two additional acres to meet density requirements and if the legal description in the resolution include the additional property. Mr. David Greer, Greer Architects, stated they have added 51,000 sq. ft. (little over one acre) which would allow 15.25 apartments per acre. A roll call vote was taken with all members voting in favor with the exception of Councilmember Dysart. Motion passed 4-1.

***f. Consider contractor bid for 147<sup>th</sup> Street & Parallel improvement project.***

A motion was made by Councilmember Sifford and seconded by President Thomas to approve and award the contractor bid for 147<sup>th</sup> Street & Parallel improvement project to H. E. Miller & Sons in the amount of \$265, 825.70. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***g. Consider amendment to the Hollingsworth Road project replacing chip & seal with asphalt overlay.***

A motion was made by President Thomas and seconded by Councilmember Hill to change from chip and seal to asphalt overlay from Station 38 to K-7 Highway. Discussion followed. Councilmember Washington asked the project engineer if he would suggest laying asphalt from Station 38 west to 147<sup>th</sup> Street and what would be the cost to do so. Mr. Dave Lutgen, MHS Engineering stated that traffic was minimal from Clubhouse Drive west to 147<sup>th</sup> Street and did not feel it would be advantageous at this point. City Engineer Joe McAfee noted asphalt would cost over \$1 million and would take fifteen years to pay for. A roll call vote was taken with all members voting in favor with the exception of Councilmember Sifford. Motion passed 4-1.

***h. Consider approval of Change Order No. 1 in the amount of \$6,500 to add a 36-inch RCP with end sections to the Hollingsworth Road project.***

A motion was made by President Thomas and seconded by Councilmember Sifford to approve Change Order No. 1 in the amount of \$6,500 \$3,627.92 (*amended 5/21/07*) to add a 36-inch RCP with end sections to the Hollingsworth Road project. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***i. Consider scheduling public hearing for sewer and solid waste delinquent accounts.***

A motion was made by Councilmember Sifford and seconded by President Thomas to set a public hearing for sewer and solid waste delinquent accounts on June 4 at 7:00 p.m. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***j. Consider appointment of municipal judge.***

A motion was made by President Thomas and seconded by Councilmember Hill to appoint William E. Pray as municipal judge for one year. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***k. Consider appointment of Municipal Court Clerk (appointment by municipal judge)***

A motion was made by Councilmember Sifford and seconded by Councilmember Washington to approve the municipal judge's appointment of Traci Dockery as the municipal court clerk for one year. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

**EXECUTIVE SESSION**

A motion was made by Councilmember Washington and seconded by Councilmember Dysart to convene into Executive Session for forty minutes to discuss Business Items "1" through "p". A roll call vote was taken with all members voting in favor with the exception of Councilmember Sifford. Motion passed 4-1. (8:25 p.m.)

At 9:10 p.m. the regular meeting was called to order by Mayor Garcia.

***l. Consider appointment of city engineer.***

A motion was made by President Thomas and seconded by Councilmember Sifford to approve the appointment of Joe McAfee, MHS Engineering as city engineer for one year. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***m. Consider appointment of city attorney.***

A motion was made by Councilmember Washington and seconded by Councilmember Dysart to table action until the May 21, 2007 Council meeting. A roll call vote was taken with all members voting in favor with the exception of Councilmember's Hill and Sifford. Motion passed 3-2.

***n. Consider appointment of city treasurer.***

A motion was made by Councilmember Sifford and seconded by President Thomas to approve the appointment of Susan Adams as city treasurer for one year. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

*o. Consider appointment of city prosecutor.*

A motion was made by Councilmember Sifford and seconded by Councilmember Hill to approve the appointment of John Thompson as city prosecutor for one year. A roll call vote was taken with Councilmember's Hill and Sifford voting in favor and Councilmember's Thomas, Washington, and Dysart voting nay. Motion failed 2-3.

*p. Consider city administrator contract renewal.*

A motion was made by Councilmember Washington and seconded by President Thomas to approve the city administrator's contract for two years, increasing deferred compensation to level of other employees and approve all other provisions remaining the same. A roll call vote was taken with all members voting in favor with the exception of Councilmember Hill voting against. Motion passed 4-1.

#### **CITY ADMINISTRATOR REPORT**

- Budget and 24-40 Corridor Study will be discussed at the May 14<sup>th</sup> work session. Packet would be ready on Tuesday, May 8th. Each department head would make a presentation and his intent was to provide projected revenues.

Council needs to decide when they want to vote on 24-40 Corridor options. Primary issues to discuss are signalized intersections and access points.

- City Hall took on 9" of water in the basement and has been pumped out. All contaminated items would be moved out of the basement in the next day or two. Evidence room was damaged and trying to get an order from the judge to dispose of items that could not be saved.

Councilmember Dysart had some issues when the parking lot was constructed, project engineer Shelly told her the basement would not flood again. City Superintendent Gene Myracle reported the storm water came in through floor drains and foundation walls. He did not feel there were any ties to the parking lot project. He said it would take installing two sump pumps to solve some of the problems; however there was no guarantee. Councilmember Washington would like to see the purchase of the sump pumps on the item on the next agenda for action. Councilmember Dysart and the city superintendent discussed the sump inlet located on the north side of the building.

**MAYOR'S REPORT**

- Mayor thanked Councilmember's Hill, Washington, and Thomas for attending the Governing Body Institute.
- Announced the city clerk received her Level I of Municipal Leadership Academy with League of Kansas Municipalities.

**COUNCIL MEMBER REPORTS**

**Keith Sifford**

Councilmember Sifford thanked city employees for keeping city hall above water. ☺

**Jim Washington**

Councilmember Washington thanked Chief Horner and City Superintendent Myracle for taking him on tour of their facilities. He reported Chief Horner has space problems and need to seriously look into facilities for the police department. He commented he looked forward to Burns & McDonnell working on the new facility expansion. He explained the city superintendent was left with a space problem as well, leaving expensive ~~equipment~~ *headworks and odor control (amended 5/21/07)* outside due to past council's decision.

**Terry Hill**

Councilmember Hill stated he also enjoyed Governing Body Institute and also enjoyed the tour given by the two department heads. He said it was apparent there were issues in both departments and should be addressed in the near future.

**EXECUTIVE SESSION**

- a. City Administrators performance evaluation.

(Held earlier in the meeting.)

**ADJOURNMENT**

There being no further business, a motion was made by President Thomas and seconded by Councilmember Sifford to adjourn the meeting. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

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Submitted for Council approval with/without corrections and additions this 21<sup>st</sup> day of May, 2007.



  
\_\_\_\_\_  
Mayor Chris Garcia

Attest:

  
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Mary A. Mogle, CMC, City Clerk

(2 audio tapes)