

Minutes

**BASEHOR CITY COUNCIL**  
**June 18, 2007**  
**6:00 p.m.**  
**Basehor City Hall**

**Official Presiding: Mayor Chris Garcia**

**Members Present: Pres. Terry Thomas (via telephone conference), Iris Dysart, Terry Hill, Jim Washington**  
**Members Absent: Keith Sifford**

**Staff Present: Carl Slauch, Mary Mogle, Gene Myracle, Dustin Smith, Terry Horner, David Lutgen**

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**WORK SESSION – 6:00 p.m.**

The work session was called to order by Mayor Garcia with members present with the exception of council member's Terry Thomas and Keith Sifford.

***1. Recognition of promotions and new employees.***

Chief Horner recognized Lloyd Martley as the new Lieutenant and Greg Hallgrimson as the new Sergeant. Chief Horner gave background information on both officers that substantiated their promotions.

Planning Director Dustin Smith introduced Sadie Robb as the new part-time assistant planner. She will work full time during the summer and part-time during the school year. She is currently pursuing her Masters degree in Urban Planning at University of Kansas. She would be handling code enforcement and day to day planning issues.

***2. Burns & McDonnell – report on progress of Wastewater Treatment Plan design.***

Mr. Jeff Keller gave a brief overview of the Wastewater Treatment Plan design. The overview included discussion regarding design year selection, treatment requirements, population projections, existing conditions, projected conditions, facility capacity, and scheduling. He explained the design plan period was being designed to year 2020 and would coincide with the final loan payment on the existing plant to be made in the year 2020 as well. At this time, the City would have other options such as building a second satellite plant. Mr. Keller said the current population was estimated

at 3,500 and conservatively projected the population to increase in the year 2020 to 8,200. He noted this was a conservative estimate. He reported the City was experiencing an I & I (inflow and infiltration) problem into the current system which was detrimental and should be addressed by repairing existing sewer mains and manholes. If the I & I problem were remedied, it could possibly increase the life of the plant to year 2025. During the five years, the City would be able to save money for future expansion. He reported the existing plant had out dated equipment and should be replaced to make it more efficient. He recommended the City duplicate the existing basin design, add methanol & alum, upgrade clarifiers, and increase pumping area. He also suggested to reconfigure office space for a lab area and making room for electrical equipment. As for scheduling, Burns & McDonnell was on schedule and they could start working on the financial part of the plan. Through a meeting with KDHE, it was determined that Basehor's medium household income was \$52,831; therefore, the average monthly user fees should range between 1%-2%; which translated into a \$45 (1%) or \$90 (2%) monthly billing. KDHE would make the final determination whether Basehor could afford to expand their wastewater facility. He recommended putting the facility plan on hold until the State gives approval for work they have currently compiled.

Mr. Washington asked how long the State would take to review the plan. Mr. Keller stated Habib Ghali, KDHE indicated it would take several weeks (4-6 weeks).

**2. Discussion regarding agenda items.**

**h. Consider approval of a KDOT economic development grant application for a reverse frontage road between 155<sup>th</sup> Street and 158<sup>th</sup> St.**

City Administrator Carl Slaugh provided an updated application form showing changes in the estimated cost figures and reported he had spoke with all the affected property owners who have informally agreed to participate in a benefit district associated with the grant project. The application must be submitted by July 2 and hoped to have a signed document by all the property owners committing to the project for both dollars and support. The City would be participating in approximately 400 ft. of the project. The City would pay the cost up front (for those not ready to develop) and then collect from the property owners once they develop the individual properties. He explained the Council could postpone action until the 2<sup>nd</sup> of July if they wished to view the documents prior to final submission.

Councilmember Dysart stated she thought President Thomas wanted to see something in writing before he would approve the grant application. She wanted to know where the guarantee was. Mr. Slaugh stated the guarantee would be in creating a benefit district and explained he still needed to have the attorney draft a document for the property owners to sign. He reported he proposed that type of arrangement because the method

worked well for Johnson County. KDOT has indicated they have some funding available for reverse frontage roads if the City would not signalize 158<sup>th</sup> Street.

Mr. Slauch also reported it has been proposed that the right-in/right-out at Kelley's be moved further west.

Councilmember Washington indicated there was nothing that could be done without a reverse frontage road. Mr. Slauch stated he felt the property owners understood and that was why they were receptive to the benefit district. Councilmember Washington noted once the frontage roads were open east and west, it would open up numerous options for the City.

Councilmember Dysart asked if the center turn lane was to be 36 ft. wide. The planning director said it would be marked once all the work was completed. She asked for clarification of the 400 ft. listed on the application. Mr. Slauch explained the 400 ft. was the section of 158<sup>th</sup> Street on State Avenue up to the frontage road on both sides. Mayor Garcia asked if all properties would have access to all lots. Mr. Slauch stated the property owners would have one access per lot. The Bryan property would be separate and share with Breuer and Little Angels Day Care. If Little Angels Day Care wanted access on the frontage road, they would need to be included in the benefit district.

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

### **REGULAR MEETING – 7:00 p.m.**

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

Mayor Garcia announced in order to conduct business this evening, it would be necessary to have President Thomas on speaker phone. The City of Basehor has a Charter Ordinance; which requires four members to be present in order to conduct the meeting.

President Thomas answered roll call via speaker phone from Chicago, Il.

#### **CONTINUATION OF DELINQUENT SEWER AND SOLID WASTE PUBLIC HEARING**

##### *Staff Report*

City Clerk Mary Mogle reported she had researched collection options for properties who experienced foreclosures. According to the county clerk's office, Basehor had the authority to place delinquent accounts on the tax rolls; however, legal counsel from the League of Kansas Municipalities said the City could not collect back utility bills from the

previous owner, only the owner who created the debt. Therefore it was her recommendation to enter into the State of Kansas Setoff Program which would allow her staff to file debt created by the previous owner with the State of Kansas and receive reimbursement once the debtor has state income tax refund available. She did not recommend using the Setoff Program for all collections noting the City would realize a quicker return placing the debt on the tax rolls. She recommended Council make a motion authorizing administrative staff to certify the list of delinquents, excluding the foreclosed properties in question, to the county clerk and file the delinquent amount incurred by previous property owners with the State of Kansas Setoff Program.

Councilmember Washington asked for clarification of what could be placed on tax rolls and setoff program. Mrs. Mogle stated she was asking for authority to file only the foreclosures with the State of Kansas, all other delinquents would be placed on the tax rolls.

Mayor Garcia called the public portion of the hearing closed.

A motion was made by Councilmember Washington and seconded by Councilmember Hill to certify the list of debtors with the county clerk and file the foreclosed properties with the State of Kansas Setoff Program. A roll call vote was taken with all members voting in favor. President Thomas voted aye via telephone. Motion passed 4-0.

### **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. June 4, 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 Washington and seconded by Councilmember Dysart to approve the Consent Agenda as presented. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

### **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).

**a. Bill Hooker, President, Iron Creek Homeowners Association**  
**Re: Iron Creek Subdivision drainage and maintenance issues**

Bill Hooker (15601 Iron Creek Dr) was present to discuss drainage and maintenance problems in Iron Creek Subdivision. Some of the problems were caused due to construction of the North Popular sewer main. He noted his development acknowledged they have a responsibility of mowing and weed eating of the area; however, it has been too wet to perform proper maintenance. The city administrator showed some pictures of the drainage area in question. Mr. Hooker showed a picture of a ditch that connects from the south, west, and north. Due to the weeds, it will become a safety factor and asked for city participation a couple times of year in cleaning up the area.

**b. Citizen Comments Regarding Agenda Items**

**Stephanie Harris (806 168<sup>th</sup> St, Bonner Springs, Ks)** representing Honey Creek Farms home owners; provided Council with copies of a petition in opposition of the proposed Preliminary and Final Plats, Honey Creek Farms Subdivision Improvements Agreement, and photographs of dilapidated properties. The petition was signed by all but one property owner opposing the change in use (on Lot 1, Block 6) within the Honey Creek Farms subdivision. She felt there was already an increase in crime due to the existing duplexes, noting she had personally witnessed three stakeouts in that area in the short time she has lived there. She pointed out problems within the subdivision ranging from parking issues to vacant lot maintenance. The current property owners purchased their homes because they were told by their realtors there would only be single family or senior living with no rentals. At the planning commission meeting, developer Roger Morningstar said he would mow the subdivision, and to date, only one lot had been mowed. *(Tape 1, Side B)*

**Ann Keeling (16808 Juniper Drive, Bonner Springs, KS)** stated she was concerned with the density. She felt the streets were narrow and the proposed project would devalue their property.

**Doug Strict (14720 State Ave.)** opposed his delinquent solid waste charge of \$112.04. He explained he had never set trash out and never signed up for disposal service. The city clerk explained if a property owner does not want weekly service, they must obtain a private haulers permit. The private hauler's permit assures that the trash would be disposed of in accordance with EPA standards. She reported utility bills have been mailed to Mr. Strict; however, her staff did not have any contact with him until he received a letter notifying him of the public hearing. Mrs. Mogle explained since she and her staff did not have the authority to dismiss the debt, she asked Mr. Strict to appear before the governing body. Mr. Strict said he did not want to obtain a private haulers permit since he did not generate \$50 worth of trash per year.

Councilmember Washington said if there were no provisions in the ordinances, he had a problem with one person opting out and felt it would open up other issues. He commended Mr. Strict for living a very "environmental existence" however he may be the only one to do so and Council needed to take that into consideration prior to taking action.

The city administrator was directed to place the matter on the next council agenda for action.

**Derrick Harris (806 168<sup>th</sup> St. , Bonner Springs, KS)** stated all the homes on 168<sup>th</sup> Street were mainly 35 to 40 ft. apart and homes on Freeman were approximately the same distance. The proposed town homes were submitted with 7 ft. – 7 ½ ft. side yards. Mr. Morningstar informed the property owners that builders that have already built in the subdivision would not be building in this complex. He felt that although Mr. Dyster was involved in the development, the builders involved in this development would be in "Morningstar's pocket".

**Fred Boehr (166<sup>th</sup> & Freeman)** felt Mr. Morningstar should finish Honey Creek Farms before being allowed to start another phase of the development. He explained the west entrance has yet to be finished. He noted he counted 47 cars from 6:45 a.m. - 7:15 a.m. and felt that was a lot of traffic and warranted another entrance.

Public Portion of the meeting closed.

#### SCHEDULED DISCUSSION ITEMS

*a. Discussion regarding drainage issues on Leavenworth Road, Pinehurst Subdivision, High Point Downs (David Brown), and Iron Creek Subdivision.*

The city administrator reported there were several areas in the City with drainage issues, Leavenworth Road (west of 157<sup>th</sup> St.), Pinehurst Subdivision, High Point Downs, and Iron Creek Subdivision. Mr. Slauch gave a brief summary of each area's problems and explained it was his intent to set a policy where the City would maintain these areas once or twice a year; otherwise, it would be the responsibility of the Homeowners Association or the adjoining property owner. He reported in order to fix the problem in High Point Downs the way the property owner wants it, would cost about \$30,000 to run a pipe the length of the ditch. Iron Creek would not be as expensive using city staff to clear away the weeds and debris in the ditch, and he has not received a quote on Pinehurst. The city administrator suggested including these types of projects in the budget process.

Councilmember Washington said he looked at the situation and felt the engineers and planning director could possibly do a better job during the review process. The planning director stated there was already a provision in Iron Creek stating what was to be

maintained by the City. He went on to explain the current level of review was to ensure storm water plans meet the requirements of the City's adopted storm water criteria. He said the one thing the City needs to remember is that things change, that being the case with Mr. Brown, he has a situation prior to High Point Downs that no longer exists with this side yard and 30 ft. easement.

Mayor Garcia asked if a letter was sent to property owners on Leavenworth Road asking them to remove objects that obstructed the flow of storm water. Mr. Slauch stated letters went out and so far two property owners have removed obstructions and at this point there was only one property owner remaining who has not removed their fence. Mayor Garcia stated it was his understanding once the property owners removed the obstructions, the City would review engineering and create a swale between the two properties and run a ditch northwest behind the homes. Mr. Slauch said at this point there was one property owner complaining and he was not sure mitigation would change that situation. The only thing that would satisfy that problem would be to install a pipe. The properties receive storm water from two directions and felt the detention pond in Metzger Meadows was doing its job.

Mayor Garcia asked the city superintendent if there was something the City could do to eliminate the problem in Iron Creek Subdivision. Mr. Myracle said the problem was created when the previous developer used Brandt's pond as a detention pond before it went to the watershed. The developer tried to give the City the area, but the City turned it down because of the cost of maintenance since the property was mainly a swamp. He noted the City currently maintains one area and it's the responsibility of the Home Owners Association to maintain the other open area. High Point Downs put in their retention pond but during the design phase but, the storm water junction box next to Mr. Brown's house was turned the opposite direction than what was originally designed. His recommendation was to put additional pipe 35-40 ft. to the south and leave the ditch sloped and maintain every couple of years. President Thomas asked if that would increase the problem. Mr. Myracle explained it would allow the water to leave the boxes for storage space.

Mr. Slauch noted Iron Creek felt they were receiving silt from High Point Downs. Mr. Myracle said Mr. Brandt gave him permission to clean out the pond area to help with detention. Mr. Hooker said he could assure the Council Iron Creek Subdivision received silt from High Point Downs.

Councilmember Dysart felt the ditch in High Point Downs was not maintainable and was very unsightly. She felt his property had been greatly devalued and suggested the City purchase enough pipe to go to the end of 154<sup>th</sup> Street.

***b. Mr. Haley – connection to city sewer at 153<sup>rd</sup> and Amber, Mr. Haley***

***c. Earl Bryant Heating & Cooling (David Bryant) – connection to city sewer at 153<sup>rd</sup> and Pinehurst Drive.***

Discussed items b and c simultaneously.

Mr. Myracle explained Mr. Haley lives on the east side of 153<sup>rd</sup> & Amber. Pinehurst Subdivision development was causing him problems to where his septic system was no longer working properly. He explained the situation would be similar to the arrangement made with Benchmark Management on the Landauer property. The customer would pay for installation of a 1 ½" force main and contract with a private company to maintain their grinder pump. Mr. Myracle said he had not spoken with the property owner regarding annexation.

Mr. Slauch said there was no set policy requiring annexation prior to connection onto the City's sewer system. In past discussion, Council wanted the option to discuss each request on its individual merit.

Councilmember Washington said he recalled previous discussion that annexation was preferred and it would be a rare exception that sewer connection would be granted without annexation. He noted both properties in question were contiguous to the City at this time. President Thomas also asked if both properties were adjacent. Mr. Myracle replied yes and explained that both properties would be responsible for all costs associated with the project to include purchase of easements.

**BUSINESS**

A motion was made by Councilmember Washington and seconded by Councilmember Hill to move First Baptist Church Business Items "d" and "e" to "a" and "b". A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***a. Consider Preliminary Plat for First Baptist Church.***

A motion was made by Councilmember Dysart and seconded by Councilmember Washington to approve the Preliminary Plat for First Baptist Church in accordance with the Planning Commissions recommendations. Discussion followed. President Thomas stated (via phone) that he did not see the storage building on the plat. The planning director noted it shows on the preliminary plan, but not on the Final Plat. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***b. Consider Final Plat for First Baptist Church.***

A motion was made by Councilmember Dysart and seconded by Councilmember Hill to approve the Final Plat for First Baptist Church as recommended by the Planning

Commission. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

Five Minute Break (8:12 p.m.) with Mayor Garcia calling the regular meeting back to order at 8:17 p.m.

*President Thomas was brought back on speaker phone.*

***c. Consider revised Preliminary Development Plan for Lot 1, Block 6 of the Honey Creek Farms Subdivision***

Janet Smalter (8331/2 Massachusettes, Lawrence, KS) architect for the project pointed out she did a project in Lawrence similar the one proposed in Honey Creek where density was tighter than the one being proposed. She explained this project would have maintenance free exteriors with sprinkled yards. She provided a rendering of the proposed homes.

Developer Don Dyster addressed the proposed development concerns. The commercial area has been sold to other property owners. The plan originally was zoned PUD and his goal was to develop the area into a retirement community. He was asked if the property was to be rental or sold. He reported it would not behoove the developers to put something in the development that would degrade the area. He said he would go along with Council if they want the units to be sold rather than rental property. He noted if the area did not continue to show growth, that could be detrimental to the overall development. Currently there are 98 lots available for sale, with two of those being duplex lots. *(Tape 2, Side A)* Mr. Dyster pointed out the homes would range from \$175,000-\$195,000 with each unit having ADA showers and doors in an effort to attract senior citizens. He addressed the traffic situation, explaining a traffic study was performed when the subdivision was initially designed and should continue to meet the criteria. He realized the property owners were upset that some of the lots were not being mowed; however, by approving this development it would take out three and one-half acres out of that equation because it would be maintained on a routine basis. Mr. Boehr said the 49 cars he counted this morning within the 30-minute period was a minimum of what was going out at this point. He said if the west entrance were finished, traffic would not be as much of an issue.

A Honey Creek resident asked why they needed 22 units when originally it was going to be 16. Mr. Dyster explained it was necessary in order for the development to be cost effective. Another resident asked why the developers would be allowed to construct a building on top of a sewer line with a catch basin near by. Mr. Dyster stated Lot 1, Block 6 does not have silt fence because it currently meets EPA requirements for growth (75% grass). Property owners said it met requirements only because they didn't mow it until this year. Mr. Dyster explained Pinehurst and Hidden Ridge currently have 7 ft.

side yard setbacks and he was not asking for anything that had not already been done in the past. Property owners said they want to see fourteen single family homes. They were told when they purchased the properties, only single family homes comparable to what was in the subdivision would be built. Mr. Dyster said if they put in single family it would cost upward of \$225,000 or more where as the proposed units would be lower and affordable for people wanting to retire. Mrs. Harris said if the plan was so

great, then why is the entire Honey Creek community present at this meeting. Mr. Dyster said homeowners were mailed a letter without details of the development. Mrs. Harris said she came to city hall and obtained all the information, so she felt that she was making an informed decision. Property owners said they did not want more multi-family in their community, the existing duplexes were causing enough problems.

Planning Director Dustin Smith gave a summary of the project. He provided excerpts from the Comprehensive Plan that stated it provides for high density requirements in a low density classification. He referred to page 5 of his staff report and explained how he arrived at the density requirement for this development noting the proposed development would only increase traffic by an estimated 60 trips per day. Pinehurst Drive is currently designed as a collector street and was designed to accommodate more than 10,000 trips per day.

Councilmember Washington asked if the State was holding up the right-in/right-out entrance. Mr. Smith stated he had discussions with the State regarding the entrance and according to a KDOT representative, they could force the developer to complete the project. The percentage of the residential and commercial development has to be completed before KDOT would force the developer to finish the entrance. He reported staff recommended approval; however, the Planning Commission turned down the request based on density and traffic issues.

Councilmember Dysart asked if there was a regulation that does not allow homes to be built more than one classification down. Mr. Smith explained the approved development plan showed 1300 sq. ft., Class E, and was not the minimum classification. Mr. Dyster reported the proposed 1,300 sq. ft. was determined based on the classification in the area currently and his project exceeds the regulations. The planning director went over the different classifications and noted the project did meet the requirements. Mr. Dyster stated he did not want to build a home that had stairs because he was targeting 55 and older age group. Mr. Smith advised the Governing Body of the voting requirements explaining since the Planning Commission denied the plan, to over turn their decision, all four council members must approve the plan.

Councilmember Hill asked Mr. Smith to clarify if the development could or couldn't fall in the guidelines of the density requirements and did the Planning Commission deny the plan based on the density requirement. Mr. Smith stated he did not recall anyone

taking exception to the 6.09 acres per unit density at the planning commission meeting. He said if Council was not comfortable with the density, they should vote in accordance; however, he considered the overall density within the subdivision, and not based on Lot 1, Block 6. Councilmember Hill said the Council should leave emotion out of their decision and go with rules and agreements and felt this was a close call; however, when you have a petition with every single member of the community, with the exception of one property owner, it appeared the subdivision was against the proposal.

President Thomas was asking for a 50 percent decrease in the density of Lot 1, Block 6 and 30 percent decrease in the setback and felt that was too much.

A motion was made by President Thomas and seconded by Councilmember Washington to deny the revised Preliminary Development Plan for Lot 1, Block 6 of the Honey Creek Farms Subdivision as presented. A roll call vote was taken with all members voting in favor of denial. Motion passed 4-0.

***d. Consider revised Final Development Plan for Lot 1, Block 6 of the Honey Creek Farms Subdivision.***

A motion was made by Councilmember Thomas and seconded by Councilmember Hill to deny the revised Final Development Plan for Lot 1, Block 6 of Honey Creek Farms Subdivision. A roll call vote was taken with all members voting in favor of denial. Motion passed 4-0.

Councilmember Washington stated at the last regular council meeting he had to bite his tongue very hard to vote for a very desirable project and that was a change in usage of the old Casey's building. The reason he had reservations was the Council was circumventing the Planning Commission and wanted to confirm the action of the Planning Commission and that Council should generally support their decisions.

***e. Consider Final Development Plan for The Medicine Shop, to be located on Lot C-5 of the Pinehurst North Subdivision.***

The planning director reported the proposed Final Development Plan for The Medicine Shop was located on the southeast corner of the round-a-bout in the Pinehurst development. The development will include three doctor's offices and a pharmacy. Currently the property is 1.92 acres, zoned CP-2 General Business which allows for professional offices and drug stores as conditional uses. Typically, it would be permitted for the lower density zoning district CP-1 Neighborhood Business, if allowed in the higher intensity district CP-2 would also be a permitted use, so based on that he recommended approval. He went on to explain traffic impact was minimal with an estimated 320 trips per day. The development would have two accesses, Pinehurst Drive and 155<sup>th</sup> Street. The development plan has some issues with parking stalls, trash

dumpster location, and landscaping. He reported parking stalls on the ends are non-conforming and do not comply with the ordinances. It did not include back of curb and only allows for 7 ft. parking spaces and should be 9 ft. spaces. Mr. Smith explained the storm water problems noting that most of the drainage would go southeast, and the plan shows the drainage to day light and should be piped to the manhole on site A, detention tract. The property is 1.92 acres noting the back side of the property would most likely become residential in the future. Staff recommended approval to include recommendations noted in the staff report. The developer's engineer will also need to address trash dumpster location.

Councilmember Washington pointed out the calculations did not work out in accordance with the number of employees that had to be there on a daily basis. Mr. Smith stated he normally leaves the number of spaces up to the developer.

Councilmember Hill asked the nature of business and suggested there may only be one doctor and one pharmacist on duty at a time. Mr. Smith commented the plan showed retail space as well which would add to traffic and parking issues.

Councilmember Dysart asked if the building would require a sprinkler system. Mr. Smith indicated the developer's engineer would most likely reconfigure plan to come under 5,000 sq. ft. Engineer Marc Breuer (17845 158<sup>th</sup> St, Tonganoxie, Ks), engineer with Schlagel and Associates, stated the only issues that he had was the storm water and that he tried to plan for the back part of the property to possibly be sold in the future. He reported they included an improved channel so the future owner would not have to relocate in the future. Mr. Breuer addressed the trash dumpster noting the only open site was on 155<sup>th</sup> Street, other locations considered realized slope issues and parking area. He reported their plan exceeds the City's parking requires by one stall.

A motion was made by Councilmember Washington and seconded by Councilmember Dysart to confirm action of Planning Commission and approve the Final Development Plan located on Lot C- 5 of Pinehurst North Subdivision. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***f. Consider approval of appointments of Park Advisory Board members.***

A motion was made by Councilmember Hill and seconded by President Thomas to approve the re-appointments of Cindy Bartko, Judy Goens, and Marjorie Barlow to the Park Advisory Board. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***g. Consider approval of recognition policy for city employees.***

Mr. Slaugh reported currently the City does not have a recognition policy for city employees. The League of Kansas Municipalities provides for a recognition program which was included in the packet. He explained he recommended adopting the same policy or the Council could choose to do their own. Councilmember Dysart asked if the plan was going to be retroactive to those who have been with the City for more than ten years. Mr. Slaugh responded yes commenting there was only a few that would qualify.

Councilmember Hill said it was his past experience that people prefer a gift rather than money because it becomes a memory, whereas, money disappears quickly.

A motion was made by Councilmember Washington and seconded by Councilmember Dysart to adopt an employee recognition policy. Discussion followed. President Thomas stated he would be in favor of a recognition policy as long as it did not involve paying the employee cash directly. Councilmember's Washington and Dysart withdrew their motion and moved to adopt the League of Kansas Municipalities policy as presented. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***h. Consider approval of a KDOT economic development grant application for a reverse frontage road between 155<sup>th</sup> Street and 158<sup>th</sup> St. (Tape 2, Side B)***

A motion was made by President Thomas and seconded by Councilmember Washington to approve the KDOT economic development grant application for a reverse frontage road between 155<sup>th</sup> Street and 158<sup>th</sup> Street. Discussion followed. Mr. Slaugh stated approval should be contingent on receiving signatures from the affected property owners to create a benefit district.

President Thomas amend his motion to make it pending the approval of 51% of the property owners and cost share as stated in the grant application with signed agreements. Councilmember Washington seconded the motion. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

Mr. Smith wanted to make clarification the number of access points for each property. Originally he indicated they should receive one access per property, but technically he thought it was more of a design issue.

***i. Consider Leavenworth County Development Corporation annual contribution of \$6,154 for year 2008.***

A motion was made by Councilmember Washington and seconded by Councilmember Hill to approve Leavenworth County Development Corporation (LCDC) annual contribution of \$6,154 for year 2008. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***j. Consider approval for equipment items for public works department.***

Mr. Myracle stated he contacted another supplier which was unable to provide the necessary equipment and recommended accepting the Knapheide bid for salt/sand spreader, snow plow, truck bed, hydraulics and lights..

A motion was made by Councilmember Washington and seconded by Councilmember Hill to approve the bid not to exceed \$23,000. Discussion followed. Councilmember Dysart asked why the truck had not been completed. Mr. Myracle reported the truck has been ordered, but not invoiced. She asked if there would be additional expenses. Mr. Myracle reported the proposed bid should finish out the truck. President Thomas asked how long it took to put the equipment on. Mr. Myracle anticipated delivery in November. A roll call was taken with all members voting in favor. Motion passed 4-0.

***k. Consider approval of agreement with State of Kansas Dept. of Administration for collection of bad debt and authorize administrative staff to automatically file bad debts for utility billing, municipal court fines, and any other debt authorized by the Accounts Receivable Setoff Program***

A motion was made by President Thomas and seconded by Councilmember Dysart to approve the agreement with State of Kansas Dept. of Administration for collection of bad debt and authorize administrative staff to automatically file bad debts for utility billing, municipal court fines, and any other debt authorized by the Accounts Receivable Setoff Program. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

***l. Consider approval of bid for asphalt overlay on Hollingsworth Road.***

Mr. Slaugh explained bids were opened and Holland Corporation came in with the low bid of \$123,500. Contracts have been signed and a notice to proceed will be issued once the County puts the base down. President Thomas asked for a time line. Mr. Slaugh stated a meeting needed to be scheduled with the county commissions because they keep moving their workers off the City's project to work on other county projects.

A motion was made by President Thomas and seconded by Councilmember Hill to approve the bid from Holland Corporation not to exceed \$123,500. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

**CITY ADMINISTRATOR REPORT**

- Thanked Mary Ann and Traci for their work to make a successful picnic. Also thanked Gene for cooking hamburgers and Mark for cooking hot dogs.

- Meeting held with representatives from Tongie, Basehor, Lansing, and LCDC. Recommendation was to form a committee of nine individuals to open discussions with Department of Aviation to develop a regional airport.
- 24-40 Corridor Access recommended five locations for signalized locations on 24-40. KDOT is stating they do not want to agree to those recommendations and asked for a written statement designating each location. Mr. Slaugh recommended submitted a written notice stating the city still wanted the five signalized intersections with reversed frontage roads. He thought there should be signals at both 155<sup>th</sup> and 158<sup>th</sup> St.

Councilmember Hill agreed with the city administrator's proposal and recommended submitting the letter as suggested. Councilmember Washington disagreed, he thought signalized intersections should be located at 142, 150, 158, 166 Street. Councilmember Washington said he was talking about a complete traffic circulation in place before removing the light at 155<sup>th</sup> Street. Frontage roads should be in place from 150<sup>th</sup> Street west to 166<sup>th</sup> Street. Slaugh asked if he thought should be a sequence. Washington said there may be an interim step.

Councilmember Hill said he thought the letter could address that and should state that 155<sup>th</sup> Street should be removed when economic development dictated where it would go. Councilmember Dysart agreed with Councilmember Hill's recommendation.

## **MAYOR'S REPORT**

- Citizen Forum – June 28, 2007 from 6-8 p.m.
- The mayor spoke with County Commission Tellefson about the progress on Hollingsworth Road. Commissioner Tellefson said in accordance with an interlocal agreement, the County had until September 7, 2007 to complete the project. Mayor Garcia stated he did not think the work would be completed at that time if they did not move forward.

## **COUNCIL MEMBER REPORTS**

### **Terry Hill**

Councilmember Hill noted the petition provided by Honey Creek residents this evening seemed to have an impact on the Council and suggested having residents of Falcon Lakes submit a petition to the County Commissioners.

**Iris Dysart**

Councilmember Dysart asked when the next Planning Commission meeting would be held since it was the day before a holiday. Mr. Smith reported the next meeting would be held July 10<sup>th</sup>. Mayor Garcia reported the next Council meeting would be held on July 2<sup>nd</sup> unless Council chose to change the date.

**Terry Thomas**

President Thomas encouraged council to participate in the dunk tank at the 4<sup>th</sup> of July celebration.

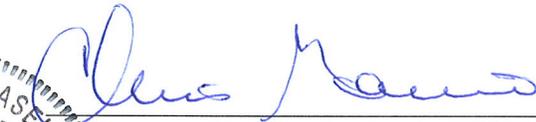
**EXECUTIVE SESSION**

None held.

**ADJOURNMENT**

A motion was made by Councilmember Dysart and seconded by President Thomas to adjourn the June 18<sup>th</sup> regular meeting. A roll call vote was taken with all members voting in favor. Motion passed 4-0. Meeting adjourned at 9:55 p.m.

Submitted for Council approval with/without corrections or additions this 2<sup>nd</sup> day of July, 2007.

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

Attest:

  
\_\_\_\_\_  
Mary A. Mogle, CMC, City Clerk

(2 audio tapes)