

Minutes**CITY OF BASEHOR
CITY COUNCIL MEETING
March 20, 2006
6:00 p.m.
Basehor City Hall****Official Presiding: Mayor Chris Garcia****Members Present: John Bonee, Iris Dysart, Bill Hooker, and Keith Sifford
(Terry Thomas was absent.)****Staff Present: Carole Dickey, Gene Myracle, Terry Horner, John Thompson,
& Joe McAfee**

WORK SESSION (6:00 p.m.)

Mayor Garcia opened the Work Session at 6 p.m. He requested that audience members refrain from conversations that make it difficult for Council to conduct business.

1) Chris Rups, HNTB, Re: K-7 Memorandum of Understanding

Mr. Rups briefly described the MOU as a nonbonding agreement to work together with KDOT on the K-7 vision. He said that a formal signing celebration would take place in April. In answer to Council's questions, he stated that the agreement would provide certainty to future developers and that KDOT would work with communities at the time those developers needed right of way. He also reported that most communities are considering the agreement at their next meetings. Mr. Thompson and Mr. McAfee both said they saw no problems with the recent changes that softened the memorandum.

2) Darrel Fields, MARC, Re: 24-40 Corridor Transportation Study

Mr. Fields presented handouts of the proposed funding breakdown for the study. He said a consultant would be named by mid to late April. President Bonee said Basehor is being passed by because of the limited north/south roads. Mr. Fields explained that the study would look at that as well as many other aspects. Councilperson Dysart asked about KTA plans for an access point, and Mr. Fields said it is too early to know their exact plans. In response to Mayor Garcia's questions, Mr. Fields said he would need an answer by mid-April and, if Basehor did not participate, the project would have to be reconsidered.

**3) Fact Finding Discussion Regarding Agenda Items with Department Supervisors
(no action to be taken during this session)**

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City Attorney

Mr. Thompson suggested a 15 minute presentation in executive session on the 24-40 Taxing District (*Business Items a. & b.*) and then the ordinance in its final form could be considered at the April 3 meeting.

City Engineer

Mr. McAfee answered questions about the Metzger Meadows rezoning and plat requests (*Business Items c. & d.*) and said he saw nothing to hold them up. He also made clarifications regarding the proposal from MHS for a Wastewater Master Plan (*Business Item l.*), stating that there could be savings if information in the Comprehensive Plan and Larkin Study can be used.

City Clerk

Ms. Dickey reported that only the current insurance carrier would be present for bids (*Business Item m.*). She said the second representative was waiting on information and was not able to get a bid prepared in time. For *Business Item h.*, she was asked by Council to provide a copy of the delinquent utility accounts ordinance (#238) for their review. President Bonee and Councilmember Hooker both stated they were opposed to a sewer rate increase (*Business Item i.*). President Bonee pointed out that the projections in the previous Treasurer's chart were being outpaced. President Bonee also said he would like to know where the sewer mill increase money is going.

City Superintendent

Mr. Myracle reported that KDHE has requested additional hydraulic testing because of the volume created by the proposed wall removal and module additions. He said the testing will be done by Larkin at no extra fee. He said he and the Mayor are meeting Wednesday with Larkin on the rate study. He also said he would be meeting with Hach Co. regarding lab equipment. Of the four companies contacted, Hach was the only one that would send a representation.

Work Session adjourned at 6:55 p.m.

REGULAR MEETING (7:00 p.m.)

CONTINUATION OF 24-40 SANITARY SEWER TAXING DISTRICT PUBLIC HEARING

Mayor Garcia opened the public hearing by announcing that the Council needed more time to address this issue. The public hearing was then adjourned to continue at the April 3 Council meeting.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mayor Garcia called the regular meeting to order at 7:02 p.m. Councilmember Terry Thomas was absent, and all other members including the city attorney John Thompson were present. Pledge of Allegiance was recited. The Mayor again asked that audience conversations be curtailed.

1. 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 of the Council Meeting of:
 1. February 23, 2006 Regular Meeting
 2. February 27, 2006 Special Work Session (Matter of Record)
 3. March 6, 2006 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 Hooker to approve the Consent Agenda as written. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

2. 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.)

Bob Moore, 2636 N. 157th, said he was opposed to giving money for the 24-40 Corridor Study and also to an increase in sewer rates.

John Flower, 15515 Cedar Lane, Bonner Springs, said the sewer fee ordinance states the rates will be increased each year and suggested changing the wording.

Jim Washington, 1901 N. 160th, said he is opposed to a sewer rate increase. He quoted sewer rates from the California desert and said Basehor's rates are higher. He also said he was opposed to waiving accounting principals. He asked what principal accounting rules were being waived and why.

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Mayor Garcia explained this action was advised by the accountant as well as the League of Kansas Municipalities. President Bonee and Councilmember Hooker agreed the City should dig deeper, but said this saves money by streamlining the process.

David Breuer, 14114 Nelson Ct., asked the Council to take a hard look at increasing sewer rates since they are already the highest around. He also opposed the accounting resolution. He said a "review" instead of an "audit" is not acceptable and does not point out irregularities.

Vern Leiker, 3824 N. 123rd, warned the Council about the State's eminent domain policy. He said he owns property on State Avenue and KDOT does not want to pay him a fair price.

Mayor Garcia asked twice if there was anyone else who wished to come before the governing body regarding an agenda item. As no one came forward, he then closed the public portion of the meeting.

3. SCHEDULED DISCUSSION ITEMS

Mayor Garcia said Operation Wildlife wished the council to reconsider their release program. Since Diane Johnson, the director, was unable to attend, she provided an emailed request. Councilman Sifford said he saw nothing in her request to change his mind. President Bonee agreed and suggested she speak at a future meeting if she desired.

John Evans, Evans Insurance, presented his bid for renewal of the City's insurance. He said the policy renewal date is April 1. He has increased the coverage to include the traffic light at 155th and State as well as a total of 14 lift stations. He estimated the rate would be approximately \$45,000.

4. Business

j. Consider appointment of Planning Director and job description

Mayor Garcia asked to consider this item first and asked Dustin Smith to stand. He asked for a motion to approve the job description and appointment of Planning Director. A motion was made by President Bonee and seconded by Councilmember Sifford to approve the job description for Planning Director and the appointment of Dustin Smith at a salary of \$52,000 contingent on a background and reference check. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

a. Consider Ordinance Creating 24-40 Sanitary Sewer Taxing District

This item was moved to Executive Session at the City Attorney's recommendation.

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b. Consider Ordinance articulating repayment of City-at-large costs for 24-40 Sanitary Sewer Taxing District

This item was moved to Executive Session at the City Attorney's recommendation.

c. Consider rezoning from "R-O" Suburban Residential to "R-1" Single Family for Metzger Meadows Phase 2, NE ¼ of Section 34, Twp 10S, Range 22E (Metzger Meadows LLC, applicant)

A motion was made by Councilmember Sifford and seconded by President Bonee to approve the rezoning from "R-O" to "R-1" for Metzger Meadows, Phase 2. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

d. Consider Metzger Meadows Preliminary Plat, Phase 2

A motion was made by Councilman Sifford and seconded by Councilmember Dysart to approve the Preliminary Plat for Metzger Meadows, Phase 2. A roll call vote was taken with all members voting in favor except Councilmember Hooker. Motion passed 3-1.

e. Consider funding for 24-40 Corridor Study

A motion was made by President Bonee and seconded by Councilmember Sifford to defer this item to the April 10 Worksession. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

f. Consider K-7 Memorandum of Understanding (MOU)

A motion was made by President Bonee and seconded by Councilmember Sifford to defer this item to the April 10 Worksession. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

g. Consider two resolutions waiving the City of Basehor from GAAP Principal Accounting Rules for years 2005 and 2006.

A motion was made by President Bonee and seconded by Councilmember Sifford to not waive the City of Basehor from GAAP Principal Accounting Rules for years 2005 and 2006. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

h. Consider Ordinance amending Chapter XV, concerning utility services and delinquent accounts and repealing Ordinance 238 in its entirety.

A motion was made by Councilmember Sifford and seconded by President Bonee to approve the Ordinance amending Chapter XV, concerning utility services and delinquent accounts and repealing Ordinance 238. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

i. Consider 2006 sewer rate increase for monthly maintenance fees

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A motion was made by Councilmember Sifford and seconded by Councilmember Hooker to deny increasing the sewer rate for monthly maintenance fees for 2006. A roll call vote was taken with all members voting in favor. Motion passed 4-0. Council directed the City Attorney to prepare an amended ordinance for consideration at the April 3 meeting, changing the wording from an annual "increase" to an annual "review".

k. Consider authorization to proceed with Leavenworth Road drainage project.

Mayor Garcia reported that letters about the project had not yet gone out to residents. A motion was made by Councilmember Hooker and seconded by President Bonee to defer this item to the April 10 Worksession. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

l. Consider proposal from MHS Engineering for Wastewater/Collection System Master Plan

A motion was made by Councilmember Sifford to approve the MHS proposal for a Wastewater/Collection System Master Plan. At President Bonee's suggestion, Councilmember Sifford agreed to amend his motion to approve the proposal with the fee not to exceed \$39,200. The amended motion was seconded by President Bonee. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

m. Consider insurance bids for General Liability Package

A motion was made by President Bonee and seconded by Councilmember Sifford to accept the General Liability Package bid from Evans Insurance, with the stop light and the 14 lift stations included, and the premium not to exceed \$45,000. Councilmember Hooker said he would like another bid but he understood the time constraints. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

5. Mayor's Report

The Mayor said there was a request from Ed McIntosh for a one-hour Special Meeting. The date of Friday, March 24, 3 p.m. was suggested. Mr. McIntosh will check with his contacts, and Council and appropriate persons will then be notified.

6. Council Member Reports

There were no Council Member Reports.

7. Executive Session

- a. Attorney-Client Privileged Exception
- b. Personnel

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A motion was made by Councilmember Hooker and seconded by Councilmember Dysart to convene into executive session for up to 35 minutes to discuss with the City Attorney the issues listed above as well as the 24-40 Sanitary Sewer Taxing District. Roll call vote was taken with all members voting in favor. Motion passed 4-0. (7:45 p.m.)

At 8:20 p.m. Mayor Garcia reconvened the Council meeting stating that no decisions were made in executive session.

A motion was made by President Bonee and seconded by Councilmember Sifford to defer ***Item a. Ordinance Creating 24-40 Sanitary Sewer Taxing District*** and ***Item b. Ordinance articulating repayment of City-At-Large Costs for 24-40 Sanitary Sewer Taxing District*** to the April 3 meeting. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilmember Hooker and seconded by Councilmember Sifford to adjourn. Roll call vote was taken with all members voting in favor. Motion passed 4-0. Meeting adjourned at 8:25 p.m.

Submitted for Council approval with/without corrections or additions this 3rd day of April, 2006.



Chris Garcia, Mayor

Attest:


Mary A. Mogle, City Clerk

Transcribed by Carole Dickey, Assistant City Clerk