

**Minutes**

**City of Basehor  
BASEHOR CITY COUNCIL  
July 17, 2006  
6:00 p.m.  
Basehor City Hall**

**OFFICIAL PRESIDING: MAYOR CHRIS GARCIA**

**MEMBERS PRESENT: Pres. John Bonee, Iris Dysart, Bill Hooker, Keith Sifford,  
Terry Thomas**

**Staff Present: Carl Slaugh, Gene Myracle, Mary Mogle, Dustin Smith,**

**Newspaper: Lara Hastings, *Basehor Sentinel***

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**WORK SESSION (6:00 p.m.)**

Mayor Garcia called the work session to order with all members present including the city attorney John Thompson. Mayor Garcia reported Business Items A, B, and G have been deferred until the August 7<sup>th</sup> Council Meeting.

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

**• 2007 Budget**

Mr. Slaugh reported the revised budget was based on changes requested by the governing body at the last budget work session. He reported based on recent sales tax calculations he was able to increase the revenue and maintain the 28.5 mill levy. He explained totals on the certificate page were different noting the Transfers had not been included in the previous budget work sheets. Another change would be increasing the Bond & Interest Fund from \$195,000 to \$295,000. Also included in this version of the 2007 budget, an additional \$180,000 for engineering fees for design of the wastewater treatment plant.

Solid Waste Fund – Mr. Slaugh explained in 2004 the City Council voted not to transfer \$10,000 from the Solid Waste Fund to the general fund. He noted typically cities use enterprise funds to pay utility clerk wages and billing fees with additional revenue to be transferred to help support the General Fund.

President Bonee informed Mr. Slaugh the Council chose not to authorize the transfer from Solid Waste Fund to the General Fund because the city treasurer had recommended increasing the monthly utility bills which he did not feel was fair to tax payers.

Councilmember Dysart questioned why the utility billing revenue estimate was lower in 2007 than in 2006. Mr. Slaugh explained in 2006 revenues were projected too high in previous years and felt the 2007 projection was more realistic. She also questioned if the city engineer was going to utilize BG Consultants original design for expansion of the wastewater treatment plant. Mr. Slaugh explained MHS Engineering would only provide the Sewer Master Plan. A Request for Proposal ("RFP") would be sent out once the City received information back from Larkin Group and MHS Engineering. The city superintendent explained the original BG Engineering design document did not include the new Kansas Department of Health and Environment regulatory changes.

Councilmember Hooker commented that the City should construct at least one and maybe two phases as soon as possible. Council discussed setting funds aside in the budget for the purchase of land for a new wastewater treatment plant. Councilmember Dysart suggested having Mr. Thompson with Larkin Group attend a work session to discuss a cost analysis and the possibility of working with the City of Bonner Springs and Leavenworth County to jointly construct a line. Mayor Garcia stated Bonner Springs was a long way from having a plan in place and suggested Councilmember Dysart attend the next Bonner Springs/Leavenworth County meeting and report back to the governing body.

The city administrator explained Bonner Springs had estimated \$10 million dollars to extend the sewer main to the northern part of Bonner Springs. He suggested waiting until MHS Engineer completed the Sewer Master Plan which would include development areas and watershed basins. With that information, the City could decide what direction they should concentrate on for infrastructure.

Mayor Garcia instructed the city administrator to verify the date and time for the next meeting with Bonner Springs and Leavenworth County and see if Mr. Thompson would be willing to attend a work session to discuss future wastewater treatment.

### **REGULAR MEETING (7:00 p.m.)**

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

Mayor Garcia called the regular meeting to order with all members present including the city attorney, John Thompson. Pledge of Allegiance was recited.

**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. July 6, 2006 Work Session & Regular Meeting
- b. Approve Treasurer's Report & Vendor Payments

A motion was made by Councilmember Sifford and seconded by Councilmember Thomas to approve the Consent Agenda as presented. A roll call vote was taken with members Sifford, Dysart, and Thomas voting in favor. Councilmember Hooker voted no with President Bonee abstaining noting he was not present at the July 5<sup>th</sup> meeting. Motion passed 4-1.

**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. Citizen Comments Regarding Agenda Items***

**Bob Moore (2636 N. 157<sup>th</sup> Street)** commented that he did not feel a 2 ½" asphalt overlay was adequate for the traffic that would be accessing Hickory Street in the future.

The city superintendent explained Maple Street would also be widened 1 ½ ft on either side bringing it to its original width.

**George Smith (14923 Parallel)** asked if the City was going to address the problems on 150<sup>th</sup> Street in this year's overlay projects. He stated 150<sup>th</sup> Street is breaking up, no longer has a shoulder, and that two vehicles were unable to pass simultaneously. He noted the street has become a safety issue.

The city superintendent reported that he, the city administrator, and planning director met last week to discuss and prioritize capital improvement projects. They targeted 150<sup>th</sup> Street to be improved in year 2008.

**Ed Bush (2106 155<sup>th</sup> Terr)** questioned if 2 ½" of asphalt would be adequate to handle the trucks from Baker's Tow Service.

The city superintendent stated the street would also have a 6" AB3 base in conjunction with the asphalt.

**David Breuer (14141 Nelson Ct)** questioned three items:

1) Status of the street lights proposed for K-7 & Hollingsworth Road and K-7 and Donohoo.

The city superintendent informed Mr. Breuer the light at K-7 and Hollingsworth Road would be installed when improvements are made to Hollingsworth Road. An application for a low mass arm with a 250 watt light has been submitted to Kansas Department of Transportation for approval. He anticipated the process to take 2-3 weeks before he would know if KDOT approved the light.

2) Questioned the status of the Falcon Lakes assessments. Mayor Garcia informed him that item had been deferred until the August 6<sup>th</sup> meeting.

3) Questioned if engineering calculations had been performed on Maple Street. He cautioned Council to consider possible drainage issues due to the resurfacing and ditch work.

The city superintendent stated the ditches were already in place, the City would be extending the road surface to the original width.

There being no further citizens wishing to speak, Mayor Garcia called the public portion of the meeting closed.

#### **SCHEDULED DISCUSSION ITEMS**

***a. Discussion regarding street light at K-7 and Donohoo Rd. and K-7 and Hollingsworth Rd.***

Mr. Myracle reiterated the existing street light on Hollingsworth Road would be moved during the improvement project. The street light at K-7 and Donohoo would be a separate project. Currently he is waiting on approval from Kansas Department of Transportation to add a low mass arm with a 250 watt light.

#### **BUSINESS**

- a. Consider interlocal agreement between the City of Basehor, Jeffrey Theno, and County of Leavenworth providing for the treatment of wastewater.***  
***b. Consider resolution annexing Theno Estates (Jeff Theno, owner)***

Items "a" and "b" were deferred to the August 7, 2006 Council meeting.

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***c. Consider proposed 2007 Budget for the City of Basehor and authorize the city clerk to publish notice of public hearing.***

A motion was made by Councilmember Sifford and seconded by Councilmember Thomas to authorize the city clerk to publish the 2007 Budget public hearing notice setting the public hearing for August 7<sup>th</sup> at 7:00 p.m. Discussion followed.

President Bonee requested a work session be held prior to publishing the notice since there were items that still needed to be addressed. Councilmember Sifford and Thomas stated they did not feel it was necessary to have another work session noting the city administrator could make the necessary changes. A roll call vote was taken with all members voting in favor with the exception of President Bonee and Councilmember Dysart. Motion passed 3-2.

***d. Consider Final Plat for Stimetz subdivision (Joe & Ann Stimetz, applicants)***

Planning Director Dustin Smith reported there were no major changes from the original preliminary plan and that staff and Planning Commission both recommended approval. Mr. Smith reported the easement was centered between lots 2 and 3 and would line up with the road on the north side of Parallel. The planning director went on to explain currently there was not a Subdivision Improvements Agreement since the subdivision was not on City sewer, but would be serviced by septic systems.

President Bonee expressed his concern that the Final Plat map did not show the alignment. He noted if the street did not line up there would be a traffic flow problem. Mrs. Stimetz stated their surveyor, Joe Herring, said the easements would line up with the existing road on the north side.

Councilmember Hooker asked why the plat states the existing laterals "may encroach on lot 2". Mr. Stimetz explained the existing laterals allow for an extension. Mr. Slauch noted #17 of the plat restriction states the lateral may need to be relocated. Councilmember Hooker pointed out that #17 was listed twice and should be corrected before filing.

Mr. Stimetz stated he opposed assuming the responsibility for sidewalks and walking trails when it was the City requiring him to include them in his plat. City Attorney John Thompson commented the walking trail would be part of the commercial complex and considered private trail. Mayor Garcia explained the City requires easements for walking trails and sidewalks as part of its future planning.

A motion was made by President Bonee and seconded by Councilmember Thomas to approve the Final Plat of Stimetz Subdivision as stipulated by the Planning Commission and the proposed street line up directly with the 60 ft. easement directly to

the north. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***e. Consider Final Plat for Pinehurst Estates (submitted by Sun Prairie Homes)***

The planning director reported there were no major changes from the Preliminary Development Plan to the Final Plat. The Planning Commission felt a time stipulation should be placed on the developer requiring him to make the improvements around the pond area. Mr. Smith suggested a maximum twenty building permits until all improvements are completed. Prior to completing the improvements, the developer must install a barrier on the top side of the pond.

The city attorney questioned if the improvements were safety issues? Developer Mike Falkner, Sun Prairie Homes, explained the improvements consisted of play ground equipment and park benches. He verbally agreed to install all the equipment on or before issuance of the twenty-first building permit.

A motion was made by President Bonee and seconded by Councilmember Sifford to approve the Final Plat for Pinehurst Estates as recommended by the Planning Commission and include a provision to allow no more than twenty (20) building permits to be issued within this plat until the amenities around the detention pond are completed. A roll call vote was taken with all members voting in favor with the exception of Councilmember Hooker. Motion passed 4-1

***f. Consider resolution authorizing a grant submittal to Kansas Department of Commerce for Street Improvements***

The city administrator reported Council had previously given approval to submit an application to Kansas Department of Transportation ("KDOT") for a grant to widen 155<sup>th</sup> Street, from two lanes to three, from US 24-40 Highway north to Parallel. Mr. Slaugh noted the project cost was estimated at \$2,883,502. KDOT would pay \$2,000,000 of the project and the City of Basehor would be liable for \$883,502. He felt it was a long shot for the City to be awarded the grant since they turned down two grants in the past; however, he thought the City could show KDOT they were serious about going forward with the grant by adopting a resolution that would stipulate that money would be set back for the grant. Mr. Slaugh said he would start putting money in the Capital Improvement Fund for grant payment.

Mr. Lutgen, MHS Engineering, was questioned about the engineering fees stipulated in the grant application. Mr. Lutgen reported the State requires ten percent (10%) engineering fees. The fees could be less than the submitted amount, but may not exceed the amount listed.

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to approve Resolution 2006-08 as submitted requesting a grant from KDOT to construct three lanes from 24-40 Highway north to Parallel as presented by the city administrator. Discussion followed.

President Bonee suggested adding a stipulation to the motion requiring the 2007 Budget include a line item for the grant.

Councilmember's Hooker and Thomas agreed to amend their motion and reword the resolution to read "...2007 and subsequent years in the Capital Improvement Fund". A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***g. Consider scheduling public hearing for the purpose of revising special assessments for Falcon Lakes subdivision.***

Item "g" was deferred to the August 7, 2006 meeting.

***h. Consider authorizing repair of hail damage and leaks on city hall building and hail damage on park restroom facility.***

A motion was made by Councilmember Sifford and seconded by President Bonee to authorize repair of hail damage and leaks on city hall building and hail damage on park restroom facility not to exceed \$9,576.00. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

***i. Consider authorization of funds for street overlay project.***

A motion was made by President Bonee and seconded by Councilmember Sifford to approve funds not to exceed \$161,143 for street overlay projects as presented by the city superintendent. A roll call vote was taken with all members voting in favor. Motion passed 5-0. (Bid was awarded to Bennett Construction.)

**MAYOR'S REPORT**

- 1) Mayor Garcia reported he would hold his first Citizen Forum on July 27<sup>th</sup> from 6:00-8:00 p.m. His intent was to hold monthly forums every fourth Thursday.
- 2) Parades – Mayor Garcia reported he would be riding in the Leavenworth County Fair Parade on August 9<sup>th</sup> and the Tiblow Days Parade on August 26<sup>th</sup>.
- 3) Chamber After Hours Meeting – Mayor Garcia encouraged council members to attend the Chamber of Commerce After Hours Meeting at Falcon Lakes on July 20<sup>th</sup>.

**COUNCIL MEMBER REPORTS**

There were no reports at this time.

**EXECUTIVE SESSION**

- a. Attorney-Client Privileged Matters concerning the 24-40 Sanitary Sewer Taxing District
- b. Hollingsworth Road Right-of-Way Acquisition

A motion was made by Councilmember Sifford and seconded by Councilmember Thomas to convene into executive session for fifteen (15) minutes to discuss Attorney-Client Privileged Matters concerning the 24-40 Sanitary Sewer Taxing District and Hollingsworth Road right-of-way acquisition. A roll call vote was taken with all members voting in favor. (8:06 p.m.)

At 8:26 p.m., Mayor Garcia called the regular meeting back to order.

There being no further business to discuss, a motion was made by President Bonee 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. Meeting adjourned at 8:27 p.m.

Submitted for Council approval with/without corrections or additions this 7<sup>th</sup> day of August, 2006.



Chris Garcia, Mayor

Attest:

Mary A. Mogle, City Clerk