

MINUTES

BASEHOR CITY COUNCIL

March 14, 2005

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Joseph Scherer

Members Present: Pres. Julian Espinoza, John Bonee, Iris Dysart, Bill Hooker,
Keith Sifford

Staff Present: Mary Mogle, Terry Horner, John Thompson

Newspaper: None present.

The regular council meeting was called to order at 6:00 p.m. by Mayor Joseph Scherer. Roll call was answered with all members present including the city attorney. Pledge of Allegiance was recited, followed by a moment of silence.

MINUTES

Councilman Bonee asked that Action Item #3 in the February 28, 2005 Minutes show that he abstained from the vote due to conflict of interest.

Councilman Hooker asked that the following corrections be made to the February 28, 2005 Minutes:

Page 1 of 7	Unfinished Business	Change #458 to #453
Page 4 of 7	Citizens & Petitions	Change "deferred" to "defer"
Page 6 of 7	Action Items	Insert the word "to" in the motion approving the payment of \$5467.36 to MAAC Cleaning.

A motion was made by B. Hooker and seconded by J. Bonee to approve the minutes of February 28, 2005 with the aforementioned corrections. All aye. Motion carried 5-0.

A motion was made by J. Bonee and seconded by J. Espinoza to approve the telephone poll of March 3, 2005 as written. All aye. Motion carried 5-0.

SCANNED

2-14-07 et

FINANCIAL REPORTS

A motion was made by K. Sifford and seconded by J. Bonee to approve the Treasurer's Report and Vendor Payments as presented. All aye. Motion carried 5-0.

UNFINISHED BUSINESS

Mayor Scherer stated at the March 7th work session, the governing body directed the city superintendent to start collecting information necessary to bid the expansion of the waste water plant from Phase 2 to Phase 4. He noted he was bringing up the matter at this time in order to make their direction to the city superintendent as part of the official record.

NEW BUSINESS**Item #1. Ordinance Annexing Certain Land Into The City of Basehor (Sec. 26, Twp 12S, Rge 22E)**

A voluntary annexation request was submitted by Treff Family Trust (aka High Point Downs). The property is contiguous to the City of Basehor at 155th & Donohoo and consists of approximately 191.985 acres.

Councilman Hooker stated two legal descriptions for the property were submitted and should be verified prior to council approval. Mayor Scherer recommended approving the annexation contingent on the city engineer reviewing the legal description.

Item #2. Consider Wages for Corporals Position

Council agreed to discuss this matter in executive session and table action until after they return to regular session.

Item #3. Transfer from Sewer Fund to Bond & Interest Fund To Make State Revolving Loan Payment (\$206,000)

Mayor Scherer announced the request to transfer \$206,000 from the Sewer Fund to the Bond & Interest Fund was for the purpose of making the State Revolving Loan payment. There was no discussion at this time.

Item #4. Consider Support for Community Center

Mayor Scherer reported he placed this subject on the agenda so a work session could be scheduled to discuss, in detail, a request for support from Gold Pride for a community center.

The governing body members stated they prefer to see a written proposal prior to making any decisions and agreed to schedule a work session on April 18, 2005 at 6:00 p.m. to discuss the matter.

CITIZENS AND PETITIONS (All Presentations Are Limited to Five Minutes)

Item #1. Jerald Cooper, Gold Pride

Re: Organizing community support for a community center.

Mr. Cooper explained he was representing Gold Pride, VFW, and the Historical Society. The organizations are interested in having a community center where people could congregate to play games, conduct meetings, and use for general purposes. The groups have discussed the possibility of the City of Basehor acquiring the old library building or other buildings that may come vacant at a later date that would serve the purpose of a community center.

Item #2. Citizen Comments Regarding Agenda Items

Mayor Scherer announced this was the portion of the meeting where members of the audience could come before the Council to discuss any agenda item.

Susan Guy questioned the location of the annexation mentioned earlier in the meeting. Mayor Scherer explained the property was adjacent to the city limits east of Country Meadows Subdivision and north to Donohoo Road.

The project engineer showed Mrs. Guy maps depicting the property location.

ACTION ITEMS

Item #1. Approve or Deny Ordinance Annexing Certain Land Into The City of Basehor (Sec. 26, Twp 12S, Rge 22E)

A motion was made by J. Bone and seconded by K. Sifford to approve the annexation based on clarification from the city engineer that the legal description is correct. All voted in favor except B. Hooker. Motion carried 4-1.

Item #2. Approve or Deny Wages for Corporals Position

A motion was made by J. Espinoza and seconded by K. Sifford to table action until after the executive session. All aye. Motion carried 5-0.

Item #3. Approve or Deny Transfer from Sewer Fund to Bond & Interest Fund to Make State Revolving Loan Payment (\$206,000)

A motion was made by J. Espinoza and seconded by B. Hooker to approve the transfer of \$206,000 from the Sewer Fund to the Bond & Interest Fund to make the State Revolving Loan payment as presented. All aye. Motion carried 5-0.

Item #4. Approve or Deny Support for Community Center

A motion was made by J. Espinoza and seconded by K. Sifford to schedule a work session on April 18, 2005 at 6:00 p.m. to discuss a community center.

OTHER BUSINESS**Item #1. Firefighter Memorial Site at City Park**

A request was received from Fairmount Township Fire Department asking that a site be designated at the city park for a "Fallen Firefighter Memorial". Councilman Hooker suggested incorporating law enforcement as well.

Council supported the idea; however, they felt they should see a written proposal and design before approving the project. They also felt it was necessary to coordinate the project with the city superintendent since he was in charge of the park facility.

Item #2. Amendment To the Neighborhood Revitalization Plan

Mayor Scherer explained Leavenworth County counselor David Van Parys provided language necessary to amend Resolution 2001-10 to allow the car wash, Community National Bank and Dan Foy to receive benefits from the Neighborhood Revitalization Plan. The language was as follows:

AMENDMENT LANGUAGE FOR RESOLUTION 2001-10
"General Provisions Applicable to All Rebate Applications on Eligible Property"
Subsection "C:

Property owners shall make application on or after a building permit has been issued and the permit fee paid for any eligible improvements. The deadline for application shall be 60 calendar days after the issue date of the building permit. The property owner may appeal to the city council and the city council may approve an application for rebate after the deadline, but not later than when the substantially completed improvements are first assessed by the County Appraiser. Notwithstanding the foregoing if the city council finds that there was excusable neglect in the submission of an application for rebate,

- c. provided that the substantial completion of the improvements occurred subsequent to February 1, 2004 and prior to December 31, 2004, and the subject property was otherwise eligible for participation in the city Neighborhood Revitalization Plan.

Councilmember Dysart asked the city attorney if the City has the authority to amend the resolution. Mr. Thompson explained the law allows for “excusable” errors to be corrected.

Mayor Scherer asked that this motion be referred to as Action Item #5.

A motion was made by J. Bonee and seconded by J. Espinoza to adopt the amended language in subsection “c” of Resolution 2001-10 as presented. All aye. Motion carried 5-0

EXECUTIVE SESSION

1. Personnel
2. Attorney-Client Privileged Matters

A motion was made by K. Sifford and seconded by J. Bonee to convene into executive session for up to thirty minutes to discuss personnel and attorney-client privileged matters. All aye. Motion carried 5-0. The city attorney, city clerk, and chief of police were in attendance. (6:38 p.m.)

At 7:16 p.m. Mayor Scherer called the regular meeting back to order announcing the following action would be taken based on executive session discussion.

Action Item #6. Payment to Adams Construction For Work Performed on Lift Station at 15544 State Ave, Kelley’s Grille

A motion was made by K. Sifford and seconded by J. Espinoza to approve payment of \$2,858.53 for work performed at 15544 State Ave to convert the grease grinder pump to gravity flow sewer main. All aye. Motion carried 5-0.

Action Item #7. Wages For Corporal Position

A motion was made by B. Hooker and seconded by K. Sifford to promote Officer Greg Hallgrimson to the position of corporal with an hourly wage of \$14.57. All aye. Motion carried 5-0.

EXECUTIVE SESSION

Mayor Scherer announced it would be necessary to convene back into executive session to finalize discussions regarding personnel and attorney-client privileged matters.

A motion was made by K. Sifford and seconded by J. Bonee to reconvene in to executive session for up to twenty minutes to discuss personnel and attorney-client privileged matters. All aye. Motion carried 5-0. (7:20 p.m.)

At 7:42 p.m. the regular meeting was called back to order by Mayor Scherer. He announced that no formal action was taken in executive session.

MAYOR'S REPORT

Mayor Scherer announced he was still in the process of collecting information regarding improvements to Hollingsworth Rd and 147th Street.

COUNCIL MEMBER REPORTS

There were no reports at this time.

ADJOURNMENT

There being no further business to discuss, a motion was made by B. Hooker and seconded by J. Espinoza to adjourn the meeting. All voted in favor. Motion carried 5-0. Meeting adjourned at 7:55 p.m.

Work Session

There was no work session held following the regular meeting.

Submitted for Council approval with/without corrections this 28th day of March 2005.

Joseph Scherer, Mayor

Attest:

Mary A. Mogle, CMC

