

**Minutes
CITY OF BASEHOR
City Council Meeting
July 18, 2005
6:00 p.m.
Basehor City Hall**

Official Presiding: Mayor Chris Garcia

Members Present: Iris Dysart, Bill Hooker (arrived at 6:30 p.m.), Terry Thomas

**Staff Present: Susan Adams, Mary Mogle, Gene Myracle, Martin Cigich,
John Thompson**

Newspaper: None

6:00 p.m. – 6:55 p.m. Work Session

1) 2006 Budget

Auditor Tom Singleton gave a presentation regarding the increase in the Bond & Interest fund noting it was necessary to increase the mill levy to 10.961 for a total mill levy of 39.574. The increase is due to lack of revenue in the Bond & Interest fund..

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

- a) Superintendent requested funds to repair Toro mower (\$1900) and purchase Motor Starters (\$2000)
- b) Mayor gave report. (See Mayor's Report/Regular Meeting)

There are no written minutes for work sessions.

Work session adjourned at 6:55 p.m. followed by a five-minute recess.

7:00 P.M. –Regular Meeting

Roll Call by Mayor Chris Garcia and Pledge of Allegiance.

Consent Agenda Items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.

3) Consent Agenda:

- a) Approve Minutes of the Council Meeting of
 - 1. July 7, 2005 Regular Meeting (not available at this time)
 - 2. July 11, 2005 Special Meeting & Work Session

3. July 12, 2005 Special Meeting (Interview City Administrator Candidate)
 4. July 13, 2005 Special Meeting (Interview City Administrator Candidate)
- b. Approve Treasurer's Report & Vendor Payments
 - c. Approve Investment Recommendations (none for this meeting)
 - d. Approve Calendar of Events

A motion was made by Councilmember Thomas and seconded by Councilmember Dysart to approve the Consent Agenda Items "a" through "d" as written. All aye. Motion carried 3-0.

2. Chamber of Commerce Report

Chamber of Commerce President Debbie Breuer made the following report:

- On August 31, 2005, LAD in conjunction with area Chamber of Commerce will hold a forum regarding retail and commercial development. She encouraged the Governing Body and Planning & Zoning board members to attend.
- On July 26, 2005 (Lansing City Hall) MARC will make a presentation on the new Transportation Outlook 2030 plan. This plan would outline Kansas Department of Transportations plans for major streets throughout the metropolitan area (K-7 Corridor, exchanges, and underpasses).
- The money raised from the Chamber of Commerce annual golf tournament will go toward signs advertising the entrance to the City of Basehor. The Chamber of Commerce requested the City of Basehor share the cost of the signs in the amount of \$3,520.00 and requested the public works staff install the signs. Mrs. Breuer reported she was trying to contact PRIDE to see if they would be willing to landscape all the signs. She requested the request for funds be placed on the August 1, 2005 Council agenda.

3. 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. *Ed McIntosh, Benchmark Enterprises LLC*
Re: Proposed Agreement to lower 12" force main within the 24-40
Interceptor Project

Wolfe Creek Junction developer, Ed McIntosh, presented an agreement stating Benchmark Enterprises would pay all costs associated with lowering the 12" force main, and in addition, post a two year maintenance bond. The City Council asked the city attorney to review the agreement and directed the city clerk to place the matter on the August 1, 2005 agenda for action.

b. *Citizen Comments Regarding Agenda Items*

John Flower (15515 Cedar Lane) spoke in favor of the proposed changes in the Pinehurst Subdivision (Business Item "c" and "d"). He mentioned items 6, 9, 10, 13, and 14 in the staff report for Wolf Creek Junction did not appear to be satisfied at this time.

Scheduled Discussion Items

a. *Discussion Regarding "No Cash" Municipal Policy*

The city clerk requested direction from the city council regarding a "No Cash" policy. She reported there are cities who enforce a "no cash" policy; however, they do not have written policies. She suggested enforcing a check or money order policy for utility billing, municipal court fines, building permits, and any item over \$25.00. Mrs. Mogle explained she has walk-in traffic that may want to purchase a fifty-cent copy or a \$25.00 manual without knowing the City's policy. Council directed the city clerk to draft a policy and submit for Council consideration.

b. *Discussion Regarding Cammarata Property Annexation*

2. *Correspondence from Leavenworth County Commissioners Requesting Additional Information Prior to Approving Resolution.*

a. *Improvements to Perimeter Streets*

b. *Verify Availability of Sanitary Sewers for Subdivision*

Mayor Garcia reported he met with Commissioner Oroke regarding annexation of the Cammarata property. Commissioner Oroke informed Mayor Garcia Leavenworth County would sign off on the drainage box, not the city. They discussed sewer services, but no decisions had been made. Mr. McIntosh stated he understands the development would withstand all associated costs.

Mayor Garcia stated the legal description to the property was incorrect and needed to be revised. Mr. McIntosh reported he provided a corrected deed to the

Register of Deeds last week. He asked the City to tell him if they are still interested in annexing the Cammarata property, if not, they would start the development process with Leavenworth County. Councilmember Thomas stated they had already taken steps to annex the property by approving the resolution. Mayor Garcia suggested having a meeting with the city superintendent, city engineer, and the developer to work out possible sewer services.

Business

- a. ***Schedule Work Session With County Commissioners Regarding Interlocal Agreement and Improvements to County and Perimeter Roads.***

Council agreed to table scheduling a work session with the County Commissioners until all members were present to decide a date.

- b. ***Statement of Action for Preliminary Plat for Wolf Creek Junction, Phase II, submitted by Benchmark Enterprises, LLC on the following described property:***

A 19.26 acre tract of land in the Southeast Quarter and the Southwest Quarter of Section 2, Township 11 South, Range 22 East of the Sixth Principal Meridian in the City of Basehor, Leavenworth County, Kansas. More commonly known as the northeast corner of 155th Street & State Ave.

Ed McIntosh, developer for Wolf Creek Junction, stated they have agreed to meet all conditions stipulated by the Planning Commission and city staff. They added a temporary turn around, established an escrow account to continue the road to property line when needed, and temporary drainage easement would be vacated when the project was completed. He explained the interior road were private and would be maintained by the Commercial Maintenance Association. The current plan was to place detention lines underground beneath the parking lot. He explained Wolf Creek Parkway would be a reverse access and drainage would be addressed in their construction drawings.

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to approve the Statement of Action for Preliminary Plat for Wolf Creek Junction, Phase II. All voted in favor. Motion carried 3-0.

Councilmember Hooker went on record stating he was opposed to more residential development, however, since this was commercial he would support the project.

- c. ***Consider Request for Amended Preliminary Development Plan for Pinehurst Development, submitted by Schlagel & Associates for Corvan Construction on the following described property:***

A 97.56 acre tract of land in the Northeast Quarter of Section 11, Township 11 South, Range 22 East of the Sixth Principal Meridian in the City of Basehor, Leavenworth County, Kansas. More commonly known as Pinehurst Development.

Mark Breuer, project engineer, requested amendment to the Preliminary Development Plan for Pinehurst development. He explained Corvan Construction would like to build forty-five single-family residences, rather than the 4-plexes originally approved. He explained there was adequate storm and sanitary sewers for the project. The average lot size would range from 8,400 to 10,000 square feet.

Councilmember Dysart questioned the length of the cul-de-sac, noting it was longer than the city regulations allow. Mr. Breuer explained it was 398 ft. to the first cul-de-sac and then another 252 ft. to the next cul-de-sac. He explained since there were two cul-de-sac's, that met city requirements and allowed ample room for fire trucks to turn. Mr. John Ecord stated his plan was to construct ranch-style homes with three car garages.

A motion was made by Councilmember Thomas and seconded by Councilmember Dysart to approve the amendment as presented. All voted in favor with the exception of Councilmember Hooker. Motion carried 2-1.

- d. ***Statement of Action for Preliminary Plat/Final Development Plan for Pines of Pinehurst, submitted by Schlagel & Associates for Corvan Construction on the following described property:***

A 14.31 acre tract of land in the Northeast Quarter of Section 11, Township 11 South, Range 22 East of the Sixth Principal Meridian in the City of Basehor, Leavenworth County, Kansas. More commonly known as Lot PR-2, Pinehurst South.

Mr. Mark Breuer, project engineer, reported they tried to save as many trees as possible during construction. They have provided a 20 ft. landscape easement with a berm. Mr. Breuer stated the developer has agreed to meet all the conditions set forth by the Planning Commission, including the construction of a fence dividing the adjoining property.

A motion was made by Councilmember Thomas and seconded by Councilmember Dysart to approve the Statement of Action for Preliminary Plat/Final

Development Plan for Pines of Pinehurst as stipulated by the Planning Commission. All voted in favor with the exception of Councilmember Hooker. Motion carried 2-1.

e. Consider Proposed 1.03MP Recorded Media Municipal Policy

The city clerk presented a policy that would regulate how long recorded media would be retained. The policy stipulated a period of three years unless the tapes would be used in a legal court case.

Councilmember Thomas asked that the word "less" in Procedures #5 be changed to read "more". Councilmember Dysart stated she did not agree with Policy #1 allowing the clerks to decide if they would record the meeting. She felt all official city meetings should be recorded. The city clerk explained the reason for the clause was that some meetings may last five minutes and it would not be necessary to record. Council discussed retention time and agreed that one year would be ample unless otherwise stipulated by the city council at the time of the meeting.

Councilmember Hooker recommended wording Procedure #5 to read "Any official city meeting shall be recorded. The recorded media shall be retained for one year and then disposed of unless Council indicates otherwise. The city attorney and Council agreed. The city clerk was directed to make the changes and place on the August 1, 2005 agenda for consideration.

A motion was made by Councilmember Thomas and seconded by Councilmember Hooker to table action until August 1, 2005. All voted in favor. Motion carried 3-0.

f. Consider Authorizing Funds to Purchase Motor Starters for Waste Water Treatment Facility.

City superintendent Gene Myracle requested authorization to purchase motor starters for three locations 1) aerator drive #1 on the aeration basin, 2) sludge blower, gravity thickener sludge tank, and 3) submersible pump at the 163rd Street lift station. The cost for all three would be approximately \$2000.

A motion was made by Councilmember Thomas and seconded by Councilmember Dysart to authorize purchase of three motor starters not to exceed \$2000. All voted in favor. Motion carried 3-0.

g. ***Consider Authorizing Funds to Repair Toro Mower***

Council discussed whether it would be advantageous to purchase a new motor this year and have the Toro repaired and wait until winter time to purchase a new mower.

A motion was made by Councilmember Thomas to authorize funds not to exceed \$1,900 to repair Toro Mower. The motion was seconded by Councilmember Dysart seconded. All voted in favor. Motion carried 3-0.

Mayor's Report

Mayor Garcia had nothing to add in addition to what he reported in the work session.

Council Member Reports

Iris Dysart

Councilmember Dysart stated when she first saw the repairs to Parallel she was upset that they were not done right; then she called Leavenworth County and they informed her they were not finished and would be back to overlay. She felt the County should consult with the City when they do work within the city limits. This would prevent work from being duplicated. Councilmember Dysart stated since 147th Street was being considered as a collector street in the future, it should be built to collector street standards now. She would like to see if the County would work with the City on the project.

Executive Session

1. Attorney-Client Privileged Matters
 1. 24-40 Interceptor Project
2. Personnel
 - a. Employment Contract

A motion was made by Councilmember Thomas to convene into executive session for up to forty-five minutes to discuss attorney-client privileged matters (Personnel was not discussed in executive session.). The motion was seconded by Councilmember Hooker. Motion carried 3-0 (8:50 p.m.) The city clerk was invited into the executive session.

At 9:38 p.m., Mayor Garcia called the regular meeting back to order announcing no formal action was taken in executive session.

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Adjournment

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to adjourn the meeting. The meeting was adjourned at 9:40 p.m.

Submitted for Council approval with/without corrections or additions this 1st day of August, 2005.


Chris Garcia, Mayor

Attest:


Mary A. Mogle, City Clerk