

Minutes

CITY OF BASEHOR
City Council Meeting
December 19, 2005
6:00 p.m.
Basehor City Hall

Official Presiding: Mayor Chris Garcia

Members Present: Pres. John Bonee, Iris Dysart, Bill Hooker, and Terry Thomas
Member Absent: Keith Sifford

Staff Present: Mary Mogle, Gene Myracle, Joe McAfee, John Thompson

PUBLIC HEARING TO AMEND 2005 BUDGET

Mayor Garcia called the public hearing to order at 6:00 p.m. announcing the purpose of the hearing was to consider amendments to the expenditures in the Capital Improvement Fund, Consolidated Highway, Transportation Improvements, and the Pinehurst Fund within the 2005 Budget.

<u>Fund</u>	<u>2005 Adopted Budget</u>	<u>Proposed Amendment</u>
Capital Improvement	0	200,000
Consolidated Hwy	100,000	250,000
Transportation Improvements	0	50,000
Pinehurst Infrastructure	851,358	1,800,000

Public Comment

Mayor Garcia asked if there was anyone from the audience who wished to comment regarding the proposed amendments. No one came forward, the mayor then called the public portion of the hearing closed.

Council Member Comments

Council members were asked if they had any questions or comments regarding the proposed amendments. There were none at this time.

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to approve the amendments to the 2005 Budget as presented. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

WORK SESSION (Directly following Budget Public Hearing)

Fact Finding Discussion Regarding Agenda Items with staff (no action to be taken during this session)

Item #1. Presentation from Lowenthal Singleton Webb & Wilson regarding 3rd Quarter Financial Report

Abram Chrislip, CPA from the accounting firm of Lowenthal Singleton Webb & Wilson explained the 3rd Quarter Financial report that was prepared by auditor Tom Singleton. Mr. Chrislip explained the report was compiled by information provided to them by the city treasurer. He went on to explain, from the results of the compilation, they were able to decide the funds that needed to be amended prior to year-end.

Item #2. Maintenance Bond of Wolf Creek Industrial Park

City engineer Joe McAfee explained Miles bonding company would only write a maintenance bond for a period of two years, then it could be renewed at the end of the two years, at the bonding company's discretion (City initially requested a five year bond). Mr. McAfee stated he was not comfortable with that wording and recommended looking into alternative options such as "Letter of Credit" or creating an "escrow account". The city attorney concurred with Mr. McAfee's recommendations.

Miles project manager, Mike Hooker, stated he thought Mr. Miles would be agreeable to providing a Letter of Credit and suggested incorporating the necessary language into the Wolf Creek Industrial Park Subdivision Improvements Agreement. Mr. Hooper reminded the governing body that it was not the developer that obtained the bond, but their subcontractors.

The city attorney suggested tabling action until he and the city engineer could collaborate to revise the Subdivision Improvements Agreement. Council concurred.

Item #3. Resolution authorizing public hearing for 24-40 Taxing District, legal description and spreadsheet for allocation of costs.

City attorney, John Thompson explained approval of the resolution for the 24-40 Taxing District would certify a list of property owners, legal description, allocation of assessments, set the time and date of the public hearing, and set a repayment term of 13 years. The city engineer stated his staff had double-checked the legal descriptions and calculations and was confident everything was accurate.

Item #4. Request to vacate utility easement on Lots 1 & 2 of Parallel Parkway Subdivision (Dennis Lee, applicant)

Mr. McAfee explained the County had told Mr. Lee that he needed to handle the vacation with them. After he started the process, they informed him he would need to go through the City of Basehor. He said he had a form that needs to be filled out once Mr. Lee provides a legal description of the easement and suggested tabling action until January. Council members Bonee and Dysart expressed their dissatisfaction with staff for delaying the process for the applicant.

Other topics discussed:

- 156th & Poplar – City superintendent reported once the ground thaws a little, his staff would install the stop signs at 156th & Poplar.
- Discussed donation to PRIDE for Holiday Lighting contest.
- Improvements to Hollingsworth Rd – City engineer reported he had not had any further contact with County other than they said they could not do the work until year 2007.
- 147th St. – Still in the process of locating utilities.
- City engineer in process of putting together the technical specifications for the drainage problems on Leavenworth Road.
- City superintendent reported all the roads were plowed. Council members Thomas and Bonee reported it was questionable that Falcon Lakes was plowed and asked Mr. Myracle to check them again.
- At the request of Councilmember Hooker, the city superintendent explained the vendor payments to Adams Construction.
- Mayor's Report:
 - In the process of getting a cost estimate from Larkin Group to do a sewer rate study.
 - Need to address purchasing laboratory equipment.
 - Met several times with city administrator interview committee.
 - Met with Pinehurst developers regarding commercial development standards.

(Note: Transcribed minutes are not required for work sessions.)

Mayor Garcia called the work session adjourned at 6:58 p.m.

REGULAR MEETING (7:00 P.M.)

ROLL CALL AND PLEDGE OF ALLEGIANCE

Mayor Garcia called the regular meeting to order at 7:00 p.m. All members were present with the exception of Councilmember Sifford. The city attorney was also in attendance. 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 of the Council Meeting of:
 1. December 5, 2005 Regular Meeting
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve Investment Recommendations
- d. Approve Calendar of Events

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to approve the Consent Agenda as printed. 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. Citizen Comments Regarding Agenda Items

Mayor Garcia opened the public portion of the meeting to anyone in the audience who wished to comment regarding agenda items.

George Smith (14923 Parallel) commented that it appeared that those residents whom were not connected to public sewers were paying for sewers through levied taxes. He asked the governing body to remember that when it comes time for those residents to connect to sewers with their cost reflecting past assessments.

Bob Moore (2636 N. 157th St.) questioned who owned lot 3 in the Parallel Parkway Subdivision. President Boney said he thought the Lindsley's owned the lot. There was no more discussion at this time.

John Flower (15515 Cedar Lane) was questioning a line item in one of the financial reports; however, he was unsure of the exact report, so discussion ended.

BUSINESS

- a. *Consider cereal malt beverage license for Simple Simon's Pizza for year 2006.*

A motion was made by Councilmember Thomas and seconded by President Bonee to approve the renewal of cereal malt beverage license for Simple Simons Pizza for year 2006. Roll call vote was taken with all members voting in favor with the exception of Councilmember Hooker. Motion passed 3-1.

b. Consider liquor license for Shorty's Liquor (Retail) and Kelley's Grille (Drinking Establishment)

A motion was made by President Bonee and seconded by Councilmember Thomas to approve the renewal of retail liquor license for Shorty's Liquor and a drinking establishment liquor license for Kelley's Grille for year 2006. Roll call vote was taken with all members voting in favor with the exception of Councilmember Hooker. Motion passed 3-1.

c. Consider request to vacate utility easement on Lots 1 & 2 of Parallel Parkway Subdivision (Dennis Lee, applicant)

A motion was made by Councilmember Hooker and seconded by Councilmember Thomas to approve the request to vacate the utility easement between lots 1 & 2 of Parallel Parkway Subdivision subject to a release from Southwestern Bell, receipt of legal description, completion of form, and approval by the city engineer. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

d. Consider Maintenance Bond Agreement for Wolf Creek Industrial Park

A motion was made by Councilmember Thomas and seconded by Councilmember Hooker to table action until the January 5, 2006 Council meeting. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

e. Consider resolution authorizing public hearing for 24-40 Taxing District, legal description and spreadsheet for allocation of costs. (Jan 27, 2006)

A motion was made by Councilmember Thomas and seconded by President Bonee to approve the resolution authorizing public hearing for 24-40 Taxing District, legal description, spreadsheet for allocation of costs, and schedule a public hearing for January 27 at 6:00 p.m. in the auditorium of Basehor-Linwood High School. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

RESOLUTION 2005-12.

A RESOLUTION SETTING A PUBLIC HEARING ON PROPOSED SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF CERTAIN SANITARY SEWER IMPROVEMENTS IN THE CITY OF BASEHOR, KANSAS, AS AUTHORIZED BY ORDINANCE NO. 483; APPROVING A STATEMENT OF COSTS PROPOSED TO

BE ASSESSED FOR SUCH IMPROVEMENTS AND DIRECTING PUBLICATION AND MAILING OF A NOTICE OF THE PUBLIC HEARING (24/40 SANITARY SEWER INTERCEPTOR PROJECT).

f. Consider job description for Police Clerk

Action was tabled until after the executive session.

g. Consider contract for position of City Administrator

Action was tabled until after the executive session.

h. Consider donation to PRIDE for Holiday Lighting Contest (\$100)

A motion was made by President Bonee and seconded by Councilmember Hooker to donate \$100 to PRIDE for the citywide Holiday Lighting Contest. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

i. Consider year-end fund transfers

A motion was made by Councilmember Thomas and seconded by President Bonee to approve the year-end transfers in accordance with the memorandum dated December 13, 2005 from Susan Adams (city treasurer). Roll call vote was taken with all members voting in favor. Motion passed 4-0.

From:	To:	Amount
General Fund	Consolidated Hwy	\$212,500
General Fund	Municipal Equipment	\$123,000
General Fund	Capital Improvement	\$212,500
Pinehurst	General Fund	\$289,000

(Note: Solid Waste Transfer as stipulated in 2005 budget shall not be made in accordance with Council's recommendations.)

MAYOR'S REPORT

a. January Council Meetings

Mayor Garcia reported, due to the holidays, next months regular meetings would be held on Thursdays, January 5th and 19th.

COUNCIL MEMBER REPORTS

There were no council member reports.

EXECUTIVE SESSION

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

A motion was made by Councilmember Thomas and seconded by President Bonee to convene into executive session for forty-five minutes to discuss attorney-client privileged matters and personnel. Roll call vote was taken with all members voting in favor. Motion passed 4-0. (7:20 p.m.)

At 8:06 p.m., Mayor Garcia called the regular meeting back to order announcing the following action would be taken based on executive session discussion.

A motion was made by Councilmember Thomas and seconded by Councilmember Hooker to approve the job description for the police clerk with one correction making the chief of police as the direct supervisor, not the police-court clerk. Roll call vote was taken with all members voting in favor. Motion passed 4-0.

A motion was made by Councilmember Thomas and seconded by Councilmember Dysart to table action to consider a contract for a city administrator until the January 5, 2006 regular council meeting. 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 Thomas and seconded by Councilmember Hooker to adjourn the meeting. Roll call vote was taken with all members voting in favor. Motion passed 4-0. Meeting adjourned at 8:10 p.m.

Submitted for Council approval with/without corrections or additions this 5th day of January, 2006.



 Chris Garcia, Mayor





 Mary A. Mogle, City Clerk