
MINUTES

BASEHOR CITY COUNCIL

August 9, 2004

6:57 PM

Basehor City Hall

Official Presiding: Mayor Joseph Scherer

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

Members Absent: Bill Hooker

**Staff Present: David Fuqua, Brian Dennison, Mary Mogle, Gene Myracle,
Angie Solberg, John Thompson**

The regular meeting of the Basehor City Council was called to order by Mayor Joseph Scherer. Roll call was answered with all members present except Councilman Hooker. Pledge was recited followed by a moment of silence.

MINUTES

Council member Iris Dysart requested a change be made on page 1 of the July 26th minutes from "Agenda" to "Minutes".

A motion was made by K. Sifford and seconded by J. Espinoza to approve the July 26th minutes as written with the one change as aforementioned. All aye. Motion carried 4-0.

TREASURER'S REPORT

A motion was made by K. Sifford and seconded by J. Espinoza to approve the Treasurer's Report and Vendor Payments as submitted. All aye. Motion carried 4-0.

UNFINISHED BUSINESS

Item #1. Ordinance Amending Business License

The amendment would require anyone who does business within the city limits of Basehor to obtain a business license first. Before a business license could be issued to a local business, they must first meet the proper zoning requirements and pay a fee of

\$50.00. This would raise the annual fee from \$10.00 to \$50.00. There was no discussion at this time.

Item #2. Ordinance Amending Chapter II, Animal Control Code

The amendment would make minor housekeeping changes to the code and continue to require a homeowner only be allowed no more than two dogs and/or two cats. There was no discussion at this time.

Item #3. Improvements to City Hall Parking Lot

Shelly Schupp, McAfee Engineering, gave a presentation regarding a preliminary design for improvements to the city hall parking lot. Ms. Schupp reported the fire department has raised their parking lot 5.4 ft and city hall would need to raise theirs approximately 3.5 ft to make the building handicap accessible. Ms. Schupp stated the fire department is currently in violation of the City's zoning codes, noting they are closer than the required twenty-foot rear yard setback. The preliminary design calls for a 3 to 1 slope on the south side of the parking lot which would extend the parking lot ten feet and allow for twenty-four regular and handicap parking spaces.

Councilmember Dysart questioned why the City should do anything at this time, when plans are being made to build a new city hall. Mayor Scherer stated it is necessary to make the improvements in order to eliminate drainage problems. Ms. Schupp explained her design calls for the drainage pipe to angle across the parking lot and drain into the ditch on the southeast corner of the City's lot. Councilmember Dysart noted she thought a companion pipe should be installed along 155th Street and could handle some of the 155th Street drainage problems. Ms. Schupp stated that could be a possibility; however, that would require additional pipe and inlet and take additional hours to calculate the area's storm water detention.

Councilman Bonee stated he would like to see the driveway centered on the property and asphalted, not chip and sealed.

The engineer provided three different cost estimates for the project:

- | | |
|---------------------------------|----------|
| 1. Chip and Seal Parking Lot | \$18,198 |
| 2. Asphalt Parking Lot | \$41,085 |
| 3. Chip and Seal, Asphalt Later | \$35,748 |

Item #4. Request for Hearing Regarding Termination of Mike Hooper, Code Administrator

Legal counsel for Mr. Hooper requested this item be tabled.

NEW BUSINESS**Item #1. Ordinance Attesting To An Increase In Tax Revenues For Budget Year 2005**

This ordinance would attest to the fact that the 2004 tax revenues for the City of Basehor would increase in year 2005. There were no questions at this time.

Item #2. Ordinance Adopting by Reference the Standard Traffic Ordinance

This ordinance would adopt by reference the 2004 State of Kansas Standard Traffic Ordinance (STO). These codes are summarized versions of the Kansas State Statutes in which the police officer's are required to use when issuing traffic citations. There was no discussion at this time.

Item #3. Ordinance Adopting by Reference the Uniform Public Offense Code

This ordinance would adopt by reference the 2004 State of Kansas Uniform Public Offense Code (UPOC). These codes are summarized versions of the Kansas State Statutes in which the police officer's are required to use when issuing traffic citations. There was no discussion at this time.

Item #4. Hire Consulting Service to Assist with Update to Comprehensive Plan

City planner, Angie Solberg, came before the city council to request authorization to proceed with the process of hiring a consulting firm to assist with updating the comprehensive plan. Mrs. Solberg presented Mr. Alan Mackey, Landplan Engineering, who would explain a little about the process a firm would go through in order to update a plan of this nature.

Mr. Mackey gave a presentation explaining the process a consulting firm would go through in order to update a comprehensive plan. The process would involve committee meetings involving members of the community, civic organizations, business owners, planning commission, city council and staff members. Once the firm had a final draft, a public hearing would be held and then adopted by the city council. Mr. Mackey explained the State requires an update to the comprehensive plan to occur every ten years and reviewed annually. An estimated cost for these services would range from \$20,000 to \$40,000.00. It would take approximately 12 to 18 months for completion.

Mayor Scherer questioned if there were any grants available. Mr. Mackey was unaware of any; however, the city administrator noted he would check with Rural

Development to see if they have any funds available. Mr. Mackey stated the City could spread the cost over two budget years (2004 & 2005).

Item #5. Contractor Payments for Pinehurst Benefit District

Ponzer-Youngquist and J. Warren Co. requested payments from the Pinehurst Benefit District proceeds in the amount of \$19,158.82. There was no discussion at this time.

Item #5. Job Description for Code Enforcement Officer

Mayor Scherer noted the revised job description for the building inspector/code enforcement officer was not ready and requested council permission to take a telephone poll once the document is ready because he would like to quickly move forward. There was no discussion at this time.

Item #6. Condemnation Process and Acceptance of Force Main Wastewater for Theno Farms

The mayor reported the City was ready to proceed with adopting a resolution to proceed with the condemnation process and acceptance of the force main wastewater for Theno Farms. An agreement between Mr. Theno and Falcon Lakes LLC has been worked out to make the sewers gravity flow. Councilmember Dysart wanted to clarify that Mr. Theno (Theno Farms) would be reimbursing the City of Basehor for all costs incurred through the project. The city attorney assured Ms. Dysart that Mr. Theno was aware he would be responsible for any legal, engineering, and any other fees connected with his project.

CITIZENS AND PETITIONS**Item #1. Byron Darlington****Re: Request Permission to Hold Civil War Reenactment**

Byron Darlington (15517 Iron Creek Crt), Steve Crutchfield and Carla Crawford appeared before the council to request permission to conduct a civil war reenactment at Basehor-Linwood High School on October 16 from 10:00 am to 3:00 p.m. Mr. Darlington noted they received permission from the school board to hold the activity on school grounds; however, since they would be shooting black powder rifles and a canon (without bullets/projectiles) they needed council permission to discharge within the city limits. Approximately thirty people would be involved in the reenactment. The activities would be free to the public but hope donations would be given to the historical society. The group anticipates making this an annual event.

Ms. Crawford, Basehor Historical Society, stated it was their hope the school would educate their students about the civil war prior to the event.

Item #2. Citizen Comments Regarding Agenda Items

Mayor Scherer stated this was the part of the meeting for anyone in the audience to comment on agenda items.

George Smith (14923 Parallel) stated he had two items he wished to comment on.

1. He encouraged the City to asphalt their parking lot since the city regulations called for a hard surface.
2. He asked that they seriously consider hiring a consulting firm to update the comprehensive plan. He noted approximately two years ago the planning commission updated the plan, but revisions were never adopted noting the code administrator did not have the manpower in his department to type the revisions. Once the revisions to the comprehensive plan have been adopted, the planning commission could start working on the updates to the zoning and subdivision regulations.

Chris Garcia (15409 Martha) spoke in favor of the City hiring a consultant to do perform the update. He stated the current staff does not have time to spend on this project and the future developers need to see where the city is headed in order to know if they want to develop in the area. Mr. Garcia commented the current plan contradicts itself through the document.

ACTION ITEMS**Item #1. Approve or Deny Ordinance Amending Business License**

A motion was made by J. Bonee and seconded by I. Dysart to approve the proposed ordinance amending the business license as presented. All aye. Motion carried 4-0.

ORD. 445 – AN ORDINANCE AMENDING CHAPTER V, ARTICLE 2, BUSINESS REGULATIONS OF THE CODEE OF BASEHOR, KANSAS.

Item #2. Approve or Deny Ordinance Amending Chapter II, Animal Control Code

A motion was made by I. Dysart and seconded by J. Espinoza to approve the ordinance amending Chapter II, Animal Control Code as presented. All aye. Motion carried 4-0.

ORD. 446 – AN ORDINANCE AMENDING CHAPTER II, ANIMAL CONTROL AND REGULATION, ARTICLE 1 GENERAL PROVISIONS ARTICLE 2 DOGS AND CATS AND ARTICLE 3 OTHER ANIMALS OF THE CODE OF THE CITY OF BASEHOR, KANSAS

Item #3. Approve or Deny Improvements to City Hall Parking Lot

A motion was made by K. Sifford and seconded by J. Espinoza to proceed with the design for the city hall parking lot improvements. All aye. Motion carried 4-0.

Item #4. Approve or Deny Request for Hearing Regarding Termination of Mike Hooper, Code Administrator

No action taken.

Item #5. Approve or Deny Ordinance Attesting To An Increase In Tax Revenues For Budget Year 2005

A motion was made by J. Espinoza and seconded by K. Sifford to approve the ordinance attesting to an increase in tax revenues for budget year 2005 as presented. All aye. Motion carried 4-0.

ORD. 446 – AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2005 FOR THE CITY OF BASEHOR, KANSAS

Item #6. Ordinance Adopting by Reference the Standard Traffic Ordinance

A motion was made by I. Dysart and seconded by J. Espinoza to approve the ordinance adopting by reference the Standard Traffic Ordinance as presented. All aye. Motion carried 4-0.

ORD. 447 – AN ORDINANCE AMENDING CHAPTER XIV, TRAFFIC ARTICLE 14-101, OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

Item #7. Ordinance Adopting by Reference the Uniform Public Offense Code

A motion was made by J. Espinoza and seconded by K. Sifford to approve the ordinance adopting by reference the Uniform Public Offense Code as presented. All aye. Motion carried 4-0.

ORD. 448 – AN ORDINANCE AMENDING CHAPTER XI, PUBLIC OFFENSES, ARTICLE 11-101 OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

Item #8. Approve or Deny Hiring a Consulting Service to Assist with Update to Comprehensive Plan

A motion was made by I. Dysart and seconded by J. Bonee to table action *(amended 8/23/04 to read table action for discussion at a worksession)*. All aye. Motion carried 4-0.

Item #9. Approve or Deny Contractor Payments for Pinehurst Benefit District

A motion was made by J. Espinoza and seconded by K. Sifford to approve the contractor payments in the amount of \$19,158.82 as presented. All aye. Motion carried 4-0.

Item #10. Approve or Deny Job Description for Code Enforcement Officer

A motion was made by J. Espinoza and seconded by I. Dysart to table action. All aye. Motion carried 4-0.

Item #11. Approve or Deny Condemnation Process and Acceptance of Force Main Wastewater for Theno Farms

A motion was made by J. Bonee and seconded by J. Espinoza to adopt the resolution moving forward with the condemnation of easements for the purpose of constructing a wastewater force main. All aye. Motion carried 4-0.

RES. 2004-07. A RESOLUTION DECLARING THE NECESSITY AND DESCRIPTION OF INTERESTS IN LAND TO BE ACQUIRED BY EMINENT DOMAIN

Item #12 Approve or Deny Request for Civil War Reenactment

A motion was made by K. Sifford and seconded by J. Bonee to approve the request by the Historical Society to conduct a civil war reenactment upon receipt of insurance certificates. All aye. Motion carried 4-0.

Item # 13. Approve or Deny Ordinance Declaring the Necessity of Appropriating Certain Private Property By Condemnation for Permanent and Temporary Easements (Theno Farms)

A motion was made by J. Espinoza and seconded by K. Sifford to approve the ordinance declaring the necessity of appropriating certain private property by condemnation for permanent easements, temporary construction easements and sewer construction purposes and authorizing and directing the appropriation of private property by said condemnation and adopting and approving the survey and description of

land required as made by the city engineer and filed with the city clerk of the City of Basehor, Ks. All aye. Motion carried 4-0.

ORD. 449 – AN ORDINANCE DECLARING THE NECESSITY OF APPROPRIATING CERTAIN PRIVATE PROPERTY BY CONDEMNATION FOR PERMANENT EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND SEWER CONSTRUCTION PURPOSES AND AUTHORIZING AND DIRECTING THE APPROPRIATION OF SAID PRIVATE PROPERTY BY CONDEMNATION AND ADOPTING AND APPROVING THE SURVEY AND DESCRIPTION OF LAND REQUIRED AS MADE BY THE CITY ENGINEER AND FILED WITH THE CITY CLERK OF THE CITY OF BASEHOR, KS.

STAFF REPORT

Gene Myralce, City Superintendent

Mr. Myralce briefed the city council regarding the recent theft at the public works building. He reported the city found out, after the theft, the City did not have insurance for theft. The truck insurance does cover items that were bolted to the vehicle.

The truck and some tools have been recovered. He requested council permission to move forward with getting the truck repaired and purchase tools that are necessary to conduct his day-to-day operations. He explained he needed a chainsaw and cutoff saw as soon as possible. The computer was retrieved and locks have been changed on the public works building and rear door at city hall.

Mr. Myralce submitted three bids for alarm systems at the public works building. The alarm system would have four outside color cameras with video replay that would cover the area around the compound. Jade Alarm was low bid at \$6,000 and a monthly maintenance fee of \$39.00 and requires a two year contract. Mayor Scherer stated he would like to see cameras installed on the inside of the building as well so it would be easy to prosecute someone if there was a clear picture of them. Mr. Myralce explained the cost would be divided between the sewer and street departments.

A motion was made by J. Espinoza and seconded by K. Sifford to approve the bid from Jade Alarm and install camera's on the inside of the building. The cost shall not to exceed \$7500.00. All aye. Motion carried 4-0.

Mr. Moore stated alarm systems are powered by phone lines and cautioned them to take the necessary precautions to protect the system. Mr. Myralce stated if the phone line is cut, the alarm company is automatically notified.

EXECUTIVE SESSION

A motion was made by K. Sifford and seconded by J. Espinoza to convene into an executive session for one hour to discuss personnel, attorney-client privileged matters, and legal issues. All aye. Motion carried 4-0. (8:45 p.m.)

At 9:59 p.m, the Mayor called the regular meeting to order announcing no formal action was taken in executive session.

MAYOR'S REPORT

There were no reports at this time.

COUNCIL MEMBER REPORTS

There were no reports at this time.

ADJOURNMENT

A motion was made by K. Sifford and seconded by I. Dysart to adjourn the regular meeting. All aye. Motion carried 4-0. Meeting adjourned at 10:00 p.m.

WORK SESSION

Item #1. Discussion regarding hiring an administrative assistant for the planning department.

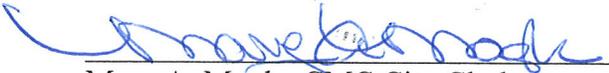
Note: Minutes of work sessions are not required by law, there fore there are no written minutes of this meeting.

Submitted for Council approval with/without corrections this 23rd day of August, 2004.

Attest:



Joseph Scherer, Mayor



Mary A. Mogle, CMC City Clerk