
MINUTES

BASEHOR CITY COUNCIL

September 13, 2004

6:00 p.m.

Basehor City Hall

Note: A reception was held at 5:00 p.m. to give an opportunity for the general public and other area entities to meet the new chief of police, Terry Horner.

Official Presiding: Mayor Joseph Scherer

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

Staff Present: David Fuqua, Mary Mogle, Gene Myracle, Angie Solberg, Don Wilson, John Thompson

At 6:06 p.m., Mayor Joseph Scherer called the regular meeting to order. Roll call was answered with all members present, including the city attorney, John Thompson. Pledge of Allegiance was recited followed by a moment of silence.

MINUTES

A motion was made by B. Hooker and seconded by K. Sifford to approve the minutes of August 23, 2004 as printed. All aye. Motion carried 5-0.

FINANCIAL REPORTS

Item #1. Treasurer's Reports & Vendor Payments

A motion was made by J. Espinoza and seconded by K. Sifford to approve the financial reports and vendor payments as submitted. All aye. Motion carried 5-0.

Item #2. Investment Recommendations

Mayor Scherer reported a request has been submitted by the city treasurer to cash in C.O.D. #41877. B. Hooker stated he would like more information and expressed concerns as to why the account was so low. In the absence of the city treasurer, the city clerk explained the purpose of the request was the need for cash flow in the money market account. When the city treasurer previously requested that money be transferred out of the money market account to invest in a \$500,000 certificate of deposit,

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he failed to consider that over \$200,000 in the money market account was designated for the transportation fund and could not be used to pay monthly expenditures.

I. Dysart stated she was not comfortable voting on an item she received the night of the meeting and wanted more information.

A motion was made by K. Sifford and seconded by J. Espinoza to accept the city treasurer's investment recommendation to cash in C.O.D. #41877. All voted in favor except I. Dysart. Motion carried 4-1.

UNFINISHED BUSINESS

Item #1. Installation And Monthly Maintenance Fees For Alarm System For City Hall And Police Department

The city superintendent submitted a proposal from Jade Alarm for an alarm system for city hall. The bid would cover separate systems for the police department and administrative department with an option to install a panic button in the city clerk's office. The cost of the project would be \$4,471.92 with a monthly maintenance cost. The monthly fees would depend on the areas of the building the council choose to monitor.

The governing body discussed ways to eliminate some of the monthly fees, but still provide a level of protection. B. Hooker stated he was not satisfied with the format of the bid and preferred to meet in a work session with a Jade Alarm representative to review the floor plan.

J. Bonee suggested cutting down the cost by alarming the building as one unit, rather than two and installing panic buttons in the city clerk and police clerk's offices.

NEW BUSINESS

Item #1. Discussion Regarding Safe Harbor Adopting Stray Animals

Toby Young (14370 Parallel), representative for Safe Harbour, explained her organization is a 501C3 Not For Profit group that takes in stray dogs and cats in an effort to find them permanent homes. Ms. Young requested the City enter into an agreement where they pay Safe Harbour \$40.00 to take stray animals after the three day waiting period. This would save the City \$5.00 per animal since it costs \$45 to have an animal euthanized. Safe Harbour uses the \$40.00 to administer shots, grooming, and obedience classes if needed.

Item #2. Discussion Regarding The Forming Of A Committee To Update Zoning & Subdivision Regulations.

Mayor Scherer explained a couple of months ago, he suggested forming a committee consisting of developers, business owners, council and planning commission members, city administrator, and planner to update the City's zoning and subdivision regulations. He noted, tonight he was "looking for a positive vote to move forward" with forming the committee. The mayor noted he was informed some planning commission members were upset with his suggestion, but all he was trying to do was gain input from more people so the City could have a good plan that was fair to the City, developers and business owners.

J. Bonee stated he thought it was a good idea, but would like to see members of the planning commission on the committee. He also suggested the planning commission meet twice a month, once as a regular meeting and then the second time in a work session.

B. Hooker submitted his name for consideration as a committee member.

Item #3. Payment To D & B Associate's For Condemnation Of Land For Sewer Construction***Item #4. Payment To Leavenworth County District Court for Appraisal Services In The Matter of D & B Associate's For Condemnation Of Land for Sewer Construction***

Mayor Scherer addressed Item #3 and 4 simultaneously.

The final settlement of \$10,500.00 was agreed upon in the matter of D & B Associates vs. City of Basehor for the condemnation of land for the construction of a sewer force main at 15544 State Ave. The appraisers fees in this matter totaled \$1950.00. Both checks would be sent to Leavenworth County District Court and distributed to Mr. Buchholz and the appraisers accordingly. There was no discussion at this time.

Item #5. Renewal of FundBalance Maintenance Agreement (\$3,188.00)

The renewal charge of \$3,188.00 was for annual maintenance for the general ledger, payroll, utility billing and accounts payable software modules. The city clerk reported by entering into the gold maintenance agreement, this would allow the City to receive free updates and discounted upgrades. All tech support calls would be included in the fee of \$3,188.00.

B. Hooker expressed concerns about a stipulation in the contract that states FundBalance could raise the contract amount by 5% any time during the contract term. The city clerk stated that was correct; however, she had never experienced an increase since the City started using FundBalance.

Item #6. Contractor Payment for Upsizing of Pinehurst Force Main & Lift Station

A letter from mhs Engineering was received recommending payment to the contractor in the amount of \$46,815.37 for upsizing of the Pinehurst Force main and Lift Station. Mayor Scherer noted the amount was lower than the anticipated \$52,604.00. There was no discussion at this time.

CITIZENS AND PETITIONS

Item #1. (There were no written requests for this meeting.)

Item #2. Citizen Comments Regarding Agenda Items

George Smith (14923 Parallel) questioned how PRIDE would access the meeting room once the alarm system was installed? Mayor Scherer stated those details would have to be worked out later.

Mr. Smith went on to say he supported the mayor forming the committee to work on the zoning and subdivision regulations and recommended someone from MARC or a planning commission member from another city sit on the committee as well.

Bob Moore (2636 N. 157th St) recommended installing the proposed two-location alarm system noting that with one system, the entire buildings alarm system would be shut down when the police officers enter the building.

Mr. Moore commented about the large number of dogs running at large through out the City without tags. He also noted there are several people that have more than the allowed two dog-two cat ratio, one being his neighbor Tom Rich who has four dogs.

Ed Bush (2606 N. 156th Terr.) spoke in favor of forming the committee to assist with the zoning and subdivision regulation update and recommended Councilman Bonee sit on the committee. Mr. Bush also supported the planning commission having a work session, noting it would help him through the learning process.

There being no further comments from the audience, Mayor Scherer called the public portion of the meeting closed.

ACTION ITEMS**Item #1. Approve Or Deny Installation And Monthly Maintenance Fees For Alarm System For City Hall And Police Department**

A motion was made by J. Bonee and seconded by K. Sifford to approve the installation and monthly fees for one system that would alarm the entire building and a panic button in the city clerk and police clerks offices. All aye. Motion carried 5-0.

Item #2. Approve Or Deny Payment To D & B Associate's For Condemnation Of Land For Sewer Construction

A motion was made by J. Espinoza and seconded by J. Bonee to approve payment to D & B Associate's for the condemnation of land used for the installation of a sewer main. All aye. Motion carried 5-0.

Item #3. Approve Or Deny Payment To Leavenworth County District Court For Appraisal Services In The Matter of D & B Associate's For Condemnation Of Land For Sewer Construction

A motion was made by J. Espinoza and seconded by J. Bonee to approve payment to the Leavenworth County District Court for appraisal fees in the matter of D & B Associate's as aforementioned. All aye. Motion carried 5-0.

Item #4. Approve Or Deny Renewal of FundBalance Maintenance Agreement (\$3,188.00)

A motion was made by K. Sifford and seconded by J. Bonee to approve the renewal of the FundBalance Maintenance Agreement in the amount of \$3,188.00. All aye. Motion carried 5-0.

Item #5. Approve Or Deny Contractor Payment For Upsizing Of Pinehurst Force Main & Lift Station

A motion was made by J. Espinoza and seconded by K. Sifford to approve the payment of \$46,815.37 for upsizing of the Pinehurst Force Main and Lift Station. All aye. Motion carried 5-0.

Item #6. Approve or Deny the Use of Safe Harbor Instead of Euthanasia

A motion was made by K. Sifford and seconded by J. Espinoza to pay Safe Harbour \$40 toward the adoption of a stray animal rather than having the animals euthanized. All aye. Motion carried 5-0.

EXECUTIVE SESSION (Discuss Personnel and Attorney-Client Privileged Matters)

A motion was made by J. Bonee and seconded by J. Espinoza to convene into an executive session for fifty minutes to discuss personnel and attorney-client privileged matters. All aye. Motion carried 5-0. (7:05 p.m.)

At 7:50 p.m, Mayor Scherer exited the executive session noting he had a conflict of interest regarding one of the topics; therefore, he removed himself from the session.

At 7:55 p.m. Council returned with J. Espinoza moving to reconvene back into executive session for fifteen minutes to discuss attorney-client privileged matters. The motion was seconded by K. Sifford. All aye. Motion carried 5-0. (7:57 p.m.)

At 8:20 p.m., Mayor Scherer announced the regular meeting back to order noting that no formal action was taken in executive session.

MAYOR'S REPORT

Mayor Scherer stated he saw no reason to hold a work session September 20th since he did not have any agenda items. President Espinoza stated based on discussions in executive session he felt it was necessary to discuss the 24-40 Hwy Interceptor Benefit District. Mayor Scherer directed the clerk to set the agenda.

COUNCIL MEMBER REPORTS

Julian Espinoza

President Espinoza commented about the progress being made by Mr. Eberth. To date Mr. Eberth has removed brush and painted some of the buildings. The mayor noted that still does not make the house habitable as required by City standards.

ADJOURNMENT

There being no further business to discuss, K. Sifford moved to adjourn the meeting. J. Bonee seconded the motion. All aye. Motion carried 5-0. Meeting adjourned at 8:30 p.m.

WORK SESSION

The governing body discussed the following items in a work session following the regular council meeting. The law does not require minutes be taken in a work session; therefore, there is no written transcript available for this meeting.

- Item #1. Cedar Lakes/Briarwood Commercial Service Delivery Plan
- Item #2. Improvements To City Hall Parking Lot
- Item #3. Resolution Supporting the Concept that the parcel (located in section 36-10-22) would be rezoned to industrial if the "appropriate" client wanted to pursue development on the parcel.

Submitted for Council approval with/without corrections this 27th day of September, 2004.

Joseph Scherer, Mayor

Attest:



Mary A. Mogle, CMC City Clerk

