
MINUTES

BASEHOR CITY COUNCIL

April 26, 2004

6:00 P.M.

Basehor City Hall

Official Presiding: Mayor Joseph Scherer

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

**Staff Present: David Fuqua, Mary Mogle, Dick Boultinghouse, Martin Cigich, and
Bob Van Cleave**

The Basehor City Council meeting was called to order at 6:07 p.m. with all members present. Pledge of allegiance was recited followed by a moment of silence.

MINUTES

A motion was made by K. Sifford and seconded by B. Hooker to approve the minutes of April 12 and April 19, 2004 as written. All aye. Motion carried 5-0.

FINANCIAL REPORTS

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

UNFINISHED BUSINESS

Item #1. Ordinance Adopting "Heavy Commercial" Sewer Classification & Rate

The ordinance before the city council for approval is that of creating a new sewer rate classification for businesses that use over 175,000 gallons of water per month. The new rate would be \$5.20 per 1,000 gallons and increased annually based upon the city budget.

Councilwoman Dysart suggested changing paragraph 3 of Section 1 to read "The rate per 1,000 will increase annually based upon the budget *and under the control of the City of Basehor*". Councilman Hooker requested the word "*and*" be added between the words user and shall. in paragraph 2 of Section 1.

Item #2. Ordinance Setting Speed Limits for Arterial and Collector Streets and On Street Parking

Council had a lengthy discussion regarding the increase of speed limits along 155th Street from 24/40 Hwy north to the city limits. Some members felt the speed limit should remain 20 mph from city hall north to Ripley, while others felt 20 mph was too slow and impedes traffic through town.

Mayor Scherer asked council to address the speed limits on Leavenworth Rd. He suggested changing the speed limit to 30 mph from 155th east to 153rd Terrace then increase it to 40 mph. West bound speed limits would change to 40 mph at west city limit. West from 153rd St.. and then to 30 mph to 153rd Terr.

The city superintendent provided council with report stating the cost of speed reduction flashing lights would be \$3,684.00 each. (This cost did not include installation or monthly electric bills).

NEW BUSINESS

Item #1. Letter of Support for KIBRS Gateway Grant (Police/Court Software)

Police Department requested council support for a \$1,000.00 grant for software that would enable arrest and police reports to be transmitted online to Kansas Bureau of Investigation. The city administrator noted the city had the opportunity to withdraw from the grant at later date if they chose not to participate.

Item #2. Discussion Regarding Pyramid Style Zoning

Mayor Scherer encouraged council to consider pyramid zoning noting this would help bring economic development to the area. The mayor explained with pyramid zoning, zoning classifications could go down but not up. For example, industrial could go into commercial, but commercial could not go into industrial.

Councilman Bonee stated the City has made the zoning regulations so stringent it has caused areas not to develop. He supports having loft apartments above businesses and felt this method would keep people in the area which would keep down crime and property deterioration.

City administrator, David Fuqua, stated he spoke with the planning department and they have concerns with pyramid zoning and does not support it since it would not give the city council flexibility to stop certain businesses.

Mayor Scherer suggested continuing the discuss in a worksession.

Item #3. Discussion Regarding Rate Sheets for City Work from Contract Labor

Mayor Scherer asked newspaper reporter, Josh Roberts, if he would put a small paragraph in his article asking contractors who wish to do work for the city, doing street and sanitary sewer work, submit a cost sheet to the city.

Item #4. Appointment of Planning Commission Members (Julie Cogley, Ed Bush)

The names of Ed Bush and Julie Cogley were submitted by Mayor Scherer as the new planning commission members. Mr. Bush and Mrs. Cogley would fill the vacant positions of Ron Owen and Steve Cole. Both applicants were in the audience to field questions from the city council. No questions were asked at this time.

RECESS

Mayor Scherer entertained a motion for a five minute recess. A motion was made by J. Espionzoza and seconded by K. Sifford. All aye. Motion carried 5-0. (7:17 p.m.)

At 7:25 p.m. Mayor Scherer called the regular meeting back to order.

Continuation of Item #2. Discussion Regarding Pyramid Style Zoning

Mayor Scherer announced further research was necessary regarding pyramid zoning; therefore, no action would be taken at this meeting as aforementioned.

CITIZENS AND PETITIONS

**Item #1. Leavenworth Area Development
Re: Membership Dues**

There was no representative present.

**Item #2 Roger Brandt, Fairmount Twp Board
Re: Parking Lot Improvements**

Mr. Brandt invited the governing body to the Fairmount Township Board meeting on Thursday, May 6th at 7:00 p.m. to discuss the cost for improvements to the parking lot that is shared by Fairmount Township and the City of Basehor.

Mayor Scherer noted if two or more council members plan to attend the meeting it would be necessary to vote to hold a worksession off site. Councilmembers Dysart and Hooker stated they planned to attend.

3. Citizen Comments Regarding Agenda Items

Mayor Scherer announced this portion of the meeting was for residents who wish to comment regarding items on the agenda. He advised the audience that presentations are limited to five minutes each.

Burl Gratny (1701 N. 155th St.) opposed increasing the speed limit from Parallel south to 24/20 Hwy. Mr. Gratny noted there is a blind spot north of his driveway that does not allow oncoming vehicles to see area property owners when they pull out onto 155th Street. He suggested setting the speed limit at 35 mph, not 40 mph. Mr. Gratny added he supports pyramid zoning.

Bob Moore stated he attended the last council worksession and was disturbed at Councilman Bonee's comment where he stated he did not care about the children crossing the street at 155th Terr & Leavenworth Road. It was his opinion the council did not care about what was best for the residents of Basehor.

Councilman Bonee stated his comments from the worksession were taken out of context because what he said was if a crosswalk with a pedestrian walk light was installed at 156th & Leavenworth Rd and children chose not to cross at this location, then he could not do anything about that.

Councilman Sifford stated he took offense to Mr. Moore's statement that the city council did not care about what was best for the residents of Basehor. If the council did not care about the residents they would not go to such lengths to address the request from constituents that wanted to see the speed limit increased.

Sandy Grimes (155th & Pin Oak) spoke in opposition of increasing the speed limit on 155th Street. She stated she was not there for herself, but for the children that walk and play along 155th Street. If the speed limit was increased, Mrs. Grimes asked that the speed limit be strictly enforced along with the enforcement of stop signs in her subdivision.

Dennis Mertz (2905 N. 155th St.) spoke in opposition of increasing the speed limit noting his wife operates a day care at the corner of 155th & Ripley. He encouraged the city council to perform a speed survey prior to making their decision. Mr. Mertz asked the council to consider the pedestrians crossing 155th Street going to the library and the difficulty of vehicles backing out of the library parking lot, at the current speed limit of 20 mph. Mr. Mertz stated he would like to see more tickets issued on 155th Street.

Mr. Mertz requested council also consider not eliminating parking along 155th Street since that is the only area some residents have to park. He encouraged the City to work with the property owners through communication.

Councilman Hooker stated the Council has to listen to constituents who want to see changes regarding the speed limit on 155th Street.

Mayor Scherer commented it was unusual to hear from citizens that want to see more speed tickets issued since the only thing they hear is the police department is too strict. The mayor stated from what he heard tonight was citizens want taxes increased for the purpose of hiring more police officers. Mrs. Grimes stated she would support the tax increase for that purpose.

Councilman Sifford noted the police department submitted a letter to the city council asking them to eliminate off street parking at 155th & Ripley and that is why it is being addressed at this time.

Roger Brandt (15525 Hollingsworth Rd) travels 155th Street daily and supports leaving the speed limit at 20 mph from city hall north to Leavenworth Road. The road is too narrow. If the speed limit is increased he asked that the council consider 25 mph.

The mayor asked if there was anyone else who wished to speak regarding agenda items. No one came forward; therefore, the public portion of the meeting was closed.

ACTION ITEMS

Item #1. Approve or Deny Ordinance Adopting "Heavy Commercial" Sewer Classification & Rate

A motion was made by B. Hooker and seconded by K. Sifford to approve Ordinance #440 with the additions of the words "and" and "set by the City Council" in Section 1. All aye. Motion carried 5-0.

ORD. 440 – AN ORDINANCE ESTABLISHING A "HEAVY COMMERCIAL" SEWER RATE AMENDING BASEHOR ORDINANCE, CHAPTER 15, ARTICLE 3 OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

Item #2 Approve or Deny Ordinance Setting Speed Limits for Arterial and Collector Streets and On Street Parking

A motion was made by J. Espinoza and seconded by K. Sifford to deny approval of Ordinance #441 as presented. Espinoza, Sifford-Aye. Bonee, Dysart, Hooker-Nay. Motion denied 3-2.

Item #3. Approve or Deny Letter of Support for KIBRS Gateway Grant (Police/Court Software)

A motion was made by J. Espinoza and seconded by K. Sifford to authorize a letter supporting a KIBRS Gateway Grant. All aye. Motion carried 5-0.

Item #4. Approve or Deny 2005 Membership Dues for Leavenworth Area Development

A motion was made by K. Sifford and seconded by J. Bonee to table action regarding 2005 membership dues to Leavenworth Area Development. All voted in favor except I. Dysart. Motion carried 4-1.

Item #5. Approve or Deny Appointment of Planning Commission Members (Julie Cogley, Ed Bush)

A motion was made by J. Bonee and seconded by K. Sifford to approve the appointments of Julie Cogley and Ed Bush to three year terms on the Basehor Planning Commission. All aye. Motion carried 5-0.

The city clerk administered the Oath of Office to Mr. Bush and Mrs. Cogley.

Item #6. Approve or Deny Scheduling A Joint Worksession with Fairmount Township Board.

A motion was made by B. Hooker and seconded by I. Dysart to meet with Fairmount Township Board in a joint worksession on May 6 at 7:00 p.m. (Fairmount Township Hall) to discuss improvements to the parking lot. All aye. Motion carried 5-0.

EXECUTIVE SESSION

A motion was made by B. Hooker and seconded by J. Bonee to convene into an executive session for up to fifteen (15) minutes to discuss trade secrets, personnel, and attorney-client privileged matters. All aye. Motion carried 5-0. (8:30 p.m.)

At 8:47 p.m. Mayor Scherer called the regular meeting back to order announcing it was necessary to go back into executive session for an additional seventeen (17) minutes to discuss trade secrets, personnel, and attorney-client privileged matters. All aye. Motion carried 5-0. (8:49 p.m.)

Mayor Scherer called the regular meeting back to order at 9:05 p.m. announcing that no formal action was taken during executive session.

MAYOR'S REPORT

Item #1. Worksession

Mayor Scherer asked council members if they wished to stay after the meeting to discuss the speed limit issue or wait until after the meeting on May 10th. Council members stated due to the late hour, they preferred to discuss the matter on May 10th. Mayor Scherer noted if the May 10th meeting ran late, the topic would be placed on the agenda for the May 17th worksession.

Item #2. Governing Body Retreat

Mayor Scherer announced he was pleased with the Governing Body Retreat last month. He noted the main purpose of the retreat was to open communication between the members of the governing body.

COUNCIL MEMBER REPORTS

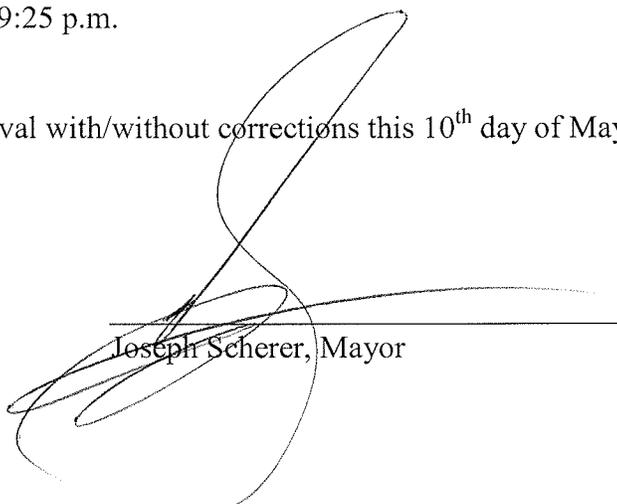
Julian Espinoza

President Espinoza questioned the city clerk as to when the remodeling of the administrative offices and meeting room would commence. She reported the chairs were to arrive later in the week and the carpet was being manufactured the week of May 8th. The public works department are scheduled to start the repair and painting of the meeting room on Thursday, April 29, 2004.

ADJOURNMENT

There being no further business to discuss, a motion was made by B. Hooker and seconded by J. Bonee to adjourn the April 26th Council meeting. All aye. Motion carried 5-0. Meeting adjourned at 9:25 p.m.

Submitted for Council approval with/without corrections this 10th day of May, 2004.



Joseph Scherer, Mayor

Attest:



Mary A. Mogle, CMC City Clerk

