

**MINUTES**

**BASEHOR CITY COUNCIL MEETING**

**June 9, 2003**

**7:00 PM**

**Basehor City Hall**

**Official Presiding: Mayor Joseph Scherer**

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

**Staff Present: Mary Mogle, Baron Powell, Mike Hooper, Vince Weston, John Thompson**

The June 9th meeting was called to order at 7:00 p.m. by Mayor Joseph Scherer. Roll call was answered with all members present. Pledge of Allegiance was recited followed by a moment of silence.

**MINUTES**

A motion was made by J. Espinoza to approve the minutes of May 27th and telephone poll of May 29th.

Councilmember Dysart asked that a correction on page 3 of 8 of the May 27th meeting be made. Mrs. Dysart reported she did not state she was in favor of passing the Charter Ordinance for Sunday Liquor Sales. Mayor Scherer asked if any other council members had an objection to removing the sentence in its entirety. They responded with "no". (New Business, Item #1, Paragraph 1)

Councilmember Hooker asked that the following words be corrected.

Page 7 of 8	Action Item #1	Paragraph 1	Change "top" to "to"
Page 8 of 8	Mayor's Report	Paragraph 1	Change "report" to "reported"
Page 8 of 8	Council Member Reports	Paragraph 2	Change "Highview" to "Heritage"

J. Espinoza moved to amend his original motion to include the corrections aforementioned. I. Dysart seconded the motion. All aye. Motion carried 5-0.

SCANNED

2-21-07 *JK*

**TREASURER'S REPORT**

A motion was made by K. Sifford and seconded by J. Bonee to approve the accounts payable report as submitted. All aye. Motion carried 5-0.

**STAFF REPORT**

**City Attorney**

**Item #1. Interlocal Agreement.**

City attorney John Thompson reported the proposed draft of the interlocal agreement between Leavenworth County and the City of Basehor regarding sewer services to Cedar Lakes was included in their packet for review. Mr. Thompson stated he included a clause that allows for an automatic increase in costs whenever the City needed to implement a change in maintenance or connection fees. However, he was not able to include a line item for engineering fees since that was unknown at this time. Mr. Thompson noted since the agreement was somewhat comprehensive, he suggested Council review and take action at a later date.

**Item #2. Sunday Liquor Sales**

Mr. Thompson reported the City of Leavenworth has recently chartered out of selling 3.2% cereal malt beverages on Sunday in addition to liquor. He noted he would research the matter and report back to the council.

**OLD BUSINESS**

**Item #1. Draft of Interlocal Agreement with Leavenworth County for Wastewater Treatment South of 24/40 Hwy.**

Mayor Scherer suggested tabling action on this item for further review.

**Item #2. Increase Amount of Employee Oath and Bond**

Mayor Scherer suggested for a minimal amount of money, the employee bonding amount can be increased from \$10,000 to \$50,000. He asked that Council review the proposal and take action at the June 23 meeting.

**NEW BUSINESS****Item #1. 1. Authorize Staff to Commence Negotiations with Sunflower Cable to Renew Franchise**

Council discussed extending the franchise for a period of 1 to 3 years. They felt the limited time frame would allow the City to review the upgrade to the system as promised by Sunflower or look for a new cable service. Mayor Scherer stated he would appoint a committee to negotiate a new franchise agreement with Sunflower under action items.

**Item #2. Proclaim June 23-27 As Business and Industry Recognition Week**

A Proclamation proclaiming June 23-27 as Business and Industry Recognition Week was include in council packet. Mayor Scherer stated he would discuss the annual luncheon in the Mayor's Report.

**CITIZENS AND PETITIONS**

**Charles Wilderson, PRIDE** president appeared before Council stating he had three items to discuss.

1. Annual PRIDE judging contest took place last week at city hall. The awards are to be presented in September at the annual state PRIDE conference.
2. PRIDE will present the results of the Community Assessment Plan to the City Council on June 16th at the monthly worksession.
3. Requested a \$700 donation for the 4th of July Fireworks Display. Mr. Wilderson noted Leavenworth County was not able to donate toward the fireworks display this year, therefore, it was necessary for the organization to ask for additional funds from the City of Basehor and other area businesses. Mr. Wilderson noted he had a generous offer of \$5,000 from Falcon Lakes Subdivision if the display took place at Falcon Lakes. However, based on community input, PRIDE chose to continue the display at the high school for another year.

**Richard Hardy (23625 W. 58th Terr, Shawnee) with Aerial FX, Inc.** requested a permit for a fireworks display at Falcon Lakes Subdivision on 4th of July. Mr. Hardy stated Falcon Lakes was not in competition with PRIDE and would be willing to start their display at 10:30 p.m. Mr. Hardy noted his company carries the necessary insurance and licenses as required by law.

***Citizen Comments Regarding Agenda Items*** - Mayor Scherer announced this portion of the meeting was for anyone in the audience to come forward to speak regarding an agenda item.

***Bob Moore (2636 N. 157th St., Basehor, Ks)*** spoke against moving the PRIDE fireworks display from the high school to Falcon Lakes Subdivision. Mayor Scherer reported the City of Basehor left the decision to the PRIDE organization since they are the ones to organize the function. The City of Basehor does not sponsor the function, only contributes monetarily.

Rustom Ferzandi (9450 Chestnut, Lenexa, Ks), Falcon Lakes Developer, stated he is not trying to compete with PRIDE. It is his way of marketing his subdivision. Mr. Ferzandi noted he is sponsoring a golf tournament, live entertainment, and the new clubhouse would be open for business. They would also raise the American Flag for the first time on the 4th of July. He felt the fireworks display would be a nice way to end the day for those participating in the day's activities.

### **ACTION ITEMS**

#### **Item #1. Approve or Deny Draft of Interlocal Agreement with Leavenworth County**

A motion was made by B. Hooker and seconded by J. Bonee to table action for review. All aye. Motion carried 5-0.

#### **Item #2. Approve or Deny Staff to Commence Negotiations with Sunflower Cable to Renew Franchise**

A motion was made by J. Espinoza and seconded by I. Dysart to authorize the Mayor, City Clerk and Councilman Sifford to negotiate a franchise renewal with Sunflower Cable. All aye. Motion carried 5-0.

#### **Item #3. Approve or Deny Donation for 4<sup>th</sup> of July Fireworks Display**

A motion was made by J. Bonee and seconded by J. Espinoza to donate \$1500.00 to PRIDE for the 4th of July Fireworks Display. Discussion followed.

The PRIDE president Chuck Wilderson stated the organization appreciates the offer of \$1500.00; however, the organization could get by with a donation of \$1,000.00.

Councilman Bonee amended his motion to donate \$1,000 to PRIDE for the 4th of July Fireworks Display. J. Espinoza seconded the motion. All aye. Motion carried 5-0.

**Item #4. Approve or Deny Request from Aerial FX, Inc. for the Issuance of Permit for Fireworks Display at Falcon Lakes Subdivision.**

A motion was made by J. Bonee and seconded by J. Espinoza to issue a fireworks display permit to Aerial FX, Inc. as requested on the contingency the company provides copies of their liability insurance, shooters license, and provide security at their expense. All aye. Motion carried 5-0.

The city attorney also asked the City of Basehor be a named insurer. Mr. Hardy agreed.

***MAYOR'S REPORT***

**Item #1. Leavenworth Area Development Meeting**

Mayor Scherer asked if one of the council members would be willing to represent the city at the Business and Industries Luncheon on June 26th. Councilman Bonee agreed to represent the City of Basehor with Councilman Sifford as alternate.

**Item #2. Reschedule Planning Work Session to July 21, 2003.**

Mayor Scherer announced due to a conflict in scheduling, the Leavenworth County Planner has requested the work session be rescheduled for June 16th to July 21st at 7:00 p.m. The work session is to discuss future planning area.

A motion was made by J. Espinoza and seconded by K. Sifford to reschedule the work session with Leavenworth County from June 16th to July 21st. All aye. Motion carried 5-0.

**COUNCIL MEMBER REPORTS**

**Julian Espinoza**

Councilman Espinoza provided a copy of the Kansas State Statutes regarding liquor sales. Mr. Espinoza pointed out that dates and hours of sales are discussed on page 11, table 2 of the packet.

Mayor Scherer directed the city clerk to add this item to the next work session agenda.

**ADJOURNMENT**

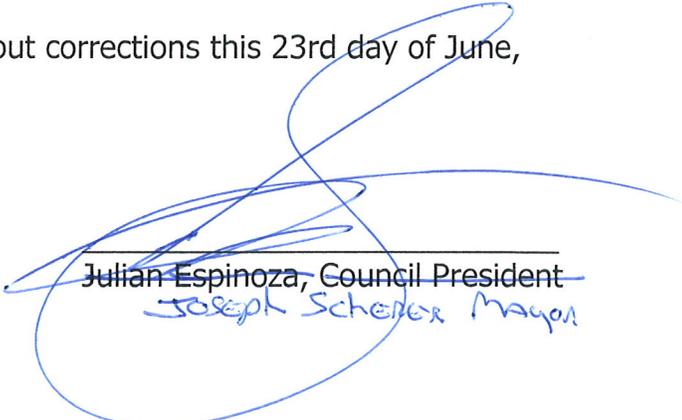
A motion was made by B. Hooker and seconded by K. Sifford to adjourn the June 9th council meeting. All aye. Motion carried 5-0. Meeting Adjourned at 7:50 p.m.

**WORK SESSION**

Mayor Scherer asked if council members had any questions for the city treasurer regarding the proposed budget. No one responded at this time.

Worksession adjourned at 7:55 p.m.

Submitted for Council approval with/without corrections this 23rd day of June, 2003.

  
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~~Julian Espinoza, Council President~~  
Joseph Scherer Mayor

Attest:

  
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Mary A. Mogle, CMC