

MINUTES

BASEHOR CITY COUNCIL MEETING

August 11, 2003

7:00 PM

Basehor City Hall

Official Presiding: Mayor Joseph Scherer

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

**Staff Present: Mike Hooper, Mary Mogle, Gene Myracle, Baron
Powell, John Thompson, Joe McAfee**

Basehor Sentinel Newspaper: Josh Roberts

The August 11, 2003 council meeting was called to order by Mayor Joseph Scherer. Roll call was answered with all members present. Pledge of Allegiance was recited followed by a moment of silence.

2004 BUDGET PUBLIC HEARING

Mayor Scherer opened the public portion of the public hearing by requesting citizen comments. There were no comments at this time, therefore, the public portion of the public hearing was closed.

Mayor Scherer asked if there were any questions from council members. There being no questions at this time, the mayor entertained a motion for approval.

A motion was made by J. Espinoza and seconded by K. Sifford to approve the 2004 Budget as presented. All aye. Motion carried 5-0.

SCANNED

2-21-07 *AS*

AMENDMENT TO 2003 PUBLIC HEARING

Mayor Scherer opened the public portion of the public hearing by requesting citizen comments. There were no comments at this time, therefore, the public portion of the public hearing was closed.

Mayor Scherer asked if there were any questions from council members. There being no questions at this time, the mayor entertained a motion for approval.

A motion was made by J. Espinoza and seconded by K. Sifford to approve the Amendment to the 2003 Budget as presented. All aye. Motion carried 5-0.

MINUTES

A motion was made by B. Hooker and seconded by J. Bonee to approve the minutes of July 28th and August 7th. All aye. Motion carried 5-0.

TREASURER'S REPORT

Item #1 & 2. Treasurer's Report and Investment Recommendations

A motion was made by J. Espinoza and seconded by K. Sifford to approve the Treasurer's Report and Investment Recommendations as presented. All aye. Motion carried 5-0.

Item #3. 2002 Audit

Tom Singleton, certified public accountant for Lowenthal Bennett & Singleton, was present to give a report regarding the 2002 Audit. He noted the financial statements represent a positive statement; however, the internal controls are in need of attention. Mr. Singleton went on to say the City of Basehor was not in compliance with KDHE loan requirements and need to address those problems in the 2003 year.

Item #4. Resolution 2003-06 Authorizing and Providing For The Issuance Of Renewal Temporary Notes (Falcon Lakes)

Greg Varenberg, of Piper Jaffray, explained the process of issuing temporary notes and bonds. He noted the current temporary note issuance is due on December 1, 2003 which will allow the City of Basehor to move forward with transferring the notes into general obligation bonds. The current note amount is \$3,350,000 includes a

cushion to pay additional interest since the note was not closed September 1, 2003 as originally anticipated.

STAFF REPORTS

City Clerk

Item #1. Purchase of New Computers & File Server for Administrative Offices

City Clerk, Mary Mogle, reported she has included in the council packets, a request for two new computer systems and file server for the administrative offices. Dell, Inc. has offered the City of Basehor a government discount with a three-year onsite warranty. Labor to install and configure the new systems would be performed by Terry Wilane.

Code Administrator

Code Administrator, Mike Hooper, reported he had two items on this agenda; 1) Petition and Cost for Pinehurst Development Benefit District; 2) Petition and Resolution for annexation of the 80 acre tract of land known as the Tucker Property located at 166th & State Avenue.

Mr. Hooper reminded the Council that upon their approval of the Resolution for Annexation, the Resolution would then be forwarded to the County Commissioners for action. Councilman Espinoza pointed out in Section I, page 1, the footage needs to read 2,670 lineal feet, not 2,760.

City Attorney

City Attorney, John Thompson, stated he has asked that the amendment to the animal control ordinance be tabled since the draft copy did not reach council members prior to meeting time. He noted the changes target animals that have a tendency to be aggressive, restricts certain breeds, and allows for stricter regulations and penalties. Councilman Hooker asked the attorney to change the word "bite" to "attack". Mr. Thompson noted that has been addressed in the new draft.

OLD BUSINESS

Item #1. Falcon Lakes Access to K-7 Corridor

Mayor Scherer announced there was nothing new to report regarding the access to K-7 Highway at Falcon Lakes. The mayor reported a meeting with Falcon Lakes developer, Rustom Ferzandi, would take place on Thursday, August 15th.

NEW BUSINESS

Item #1. Replacement of Computer Systems In Administrative Office

No discussion at this time.

Item #2. Petition and Cost for Pinehurst Development Benefit District

No discussion at this time.

***Item #3. Petition and Resolution for Annexation of Tucker Property
(80 Acre Tract located SW Corner of 166th & State Ave)***

No Discussion at this time.

***Item #4. Resolution 2003-06 Authorizing and Providing For The Issuance Of
Renewal Temporary Notes (Falcon Lakes)***

No Discussion at this time.

***Item #5. Request for Change in Work Days On 24/40 Hwy Project (Miles
Excavating)***

Mayor Scherer announced contractor, Miles Excavating, was requesting a change in the original contract asking that they be allowed to work six, ten-hour days per week. The mayor explained the engineering firm has agreed to withstand some of the cost and felt the contractor could make concessions as well since they are the ones who were requesting the variance. Mayor Scherer also suggested using city staff (code administrator and city superintendent) to help defray some of the costs.

The city superintendent commented it was his understanding from the beginning of the project that since the project time was reduced from 180 days to 110 days the

contractor would be allowed to work six ten-hour days. Council reserved the right to discuss this matter at the August 18th worksession.

***Item #6. Contractor Payment Request from State Revolving Loan Payment
(24/40 Hwy Project)***

Ponzer Youngquist has submitted Payment Request #33 for engineering services From April 30 to July 31, 2003. Total amount of request was \$\$2,408.00 (Inv. #012, 013, and 014).

CITIZENS AND PETITIONS

***Item #1. Simple Simons Pizza
Request Issuance of Cereal Malt Beverage License***

Mayor Scherer announced the owners of Simple Simons Pizza were not present; however, they have requested a license to sell Cereal Malt Beverages (3.2% beer). The city clerk reported all fees have been paid to the City of Basehor.

Item #2. Citizen Comments Regarding Agenda Items

Mayor Scherer opened the public portion of the meeting to citizens who wished to comment on any agenda item. No one came forward to speak; therefore, the public portion of the meeting was closed.

ACTION ITEMS

***Item #1. Resolution 2003-06 Authorizing and Providing For The Issuance Of
Renewal Temporary Notes (Falcon Lakes***

A motion was made by B. Hooker and seconded by J. Bonee to approve Resolution 2003-06 authorizing and providing for the issuance of renewal of the Falcon Lakes temporary notes. All aye. Motion carried 5-0.

**RES. 2003-06. A Resolution Authorizing and Providing For the Issuance Of
Renewal Temporary Notes**

Item #2. Approve or Deny Support of Falcon Lakes Access to K-7 Corridor

A motion was made by J. Espinoza and seconded by K. Sifford to table action. All aye. Motion carried 5-0.

Item #3. Approve or Deny Replacement of Computer Systems In Administrative Office

A motion was made by K. Sifford and seconded by J. Espinoza to approve the purchase of two computer systems, file server, and labor to configure and install the systems for a total cost of \$8,673.00. All aye. Motion carried 5-0.

Item #4. Approve or Deny Petition and Cost for Pinehurst Development Benefit District

A motion was made by J. Espinoza and seconded by K. Sifford to approve the Petition and Cost for Pinehurst Development Benefit District with the one correction changing Section I from 2,760 lineal feet to 2,670. Discussion followed. All voted in favor except B. Hooker. Motion carried 4-1.

RES. 2003-07 A Resolution Determining The Advisability Of The Making Of Certain Internal Improvements In The City Of Basehor, Kansas, and Authorizing and Providing For the Construction Of Certain Improvements In Accordance With The Findings Of The Governing Body And K.S.A. 12-6a01 et seq.

Item #5. Approve or Deny Petition and Resolution for Annexation of Tucker Property (80 Acre Tract located SW Corner of 166th & State Ave)

A motion was made by K. Sifford and seconded by J. Espinoza to approve the Petition and Resolution for Annexation of the Tucker Property. Discussion followed. All voted in favor except B. Hooker. Motion carried 4-1.

RES. 2003-08 A Resolution Of The City of Basehor, Kansas, Requesting The Board of County Commissioners of Leavenworth County, Kansas, To Make Certain Findings Regarding The Annexation Of Property.

Item #6. Approve or Deny Issuance of Cereal Malt Beverage License for Simple Simons Pizza

A motion was made by J. Espinoza and seconded by J. Bonee to approve the issuance of a Cereal Malt Beverage license to Simple Simons Pizza as requested. All aye. Motion carried 5-0.

Item #7. Approve or Deny Contractor Payments For State Revolving Loan (24/40 Hwy Interceptor Project)

A motion was made by K. Sifford and seconded by B. Hooker to approve contractor payment to Ponzer Youngquist in the amount of \$2,408.00 from the State Revolving Loan fund. All aye. Motion carried 5-0.

EXECUTIVE SESSION

A motion was made by I. Dysart and seconded by J. Bonee to recess into an executive session for a period of up to one hour to discuss legal matters. All aye. Motion carried 5-0. (8:00 p.m.)

At 8:59 p.m., the mayor called the meeting back to order announcing that no formal action was taken during the executive session.

MAYOR'S REPORT

Item #1. Staff Meetings

The mayor announced he currently holds a staff meeting with department chiefs on the second Monday of every month and would be providing a meal during the meeting, not to exceed \$50. He noted although he does have authorization as mayor to spend the money, he wanted Council's input. Council members Espinoza, Bonee, Dysart and Sifford were in favor, with Hooker opposing. Mayor Scherer also reported the department chiefs would start conducting weekly meetings among themselves and asked that no council members attend unless they were invited. This meeting would be for communications among departments.

Item #2. City Administrator Position

Mayor Scherer requested a worksession with League of Kansas Municipalities counsel, Mark Tomb, for the purpose of discussing the creation and hiring of a new city administrator.

A motion was made by B. Hooker and seconded by I. Dysart to schedule a worksession on August 25, 2003 at 6:00 p.m. to meet with a member of the League of Kansas Municipalities regarding the position of city administrator. All aye. Motion carried 5-0.

COUNCIL MEMBER REPORTS

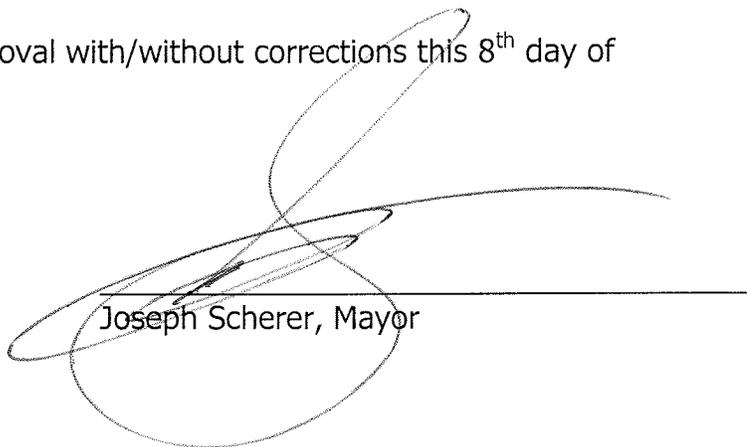
There were no reports this month.

ADJOURNMENT

There being no further business to discuss, a motion was made by J. Bonee and seconded by K. Sifford to adjourn the meeting. All aye. Motion carried 5-0.

Submitted for Council approval with/without corrections this 8th day of September, 2003.





Joseph Scherer, Mayor



Mary A. Mogle, CMC City Clerk