
MINUTES

BASEHOR CITY COUNCIL

December 8, 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, and Vince Weston**

Newspaper Present: Josh Roberts, Basehor Sentinel

The regular meeting of the Basehor City Council was called to order by Mayor Joseph Scherer at 7:05 p.m. Roll call was answered with all members present. Pledge of Allegiance was recited followed by a moment of silence.

APPROVAL OF MINUTES

A motion was made by B. Hooker and seconded by J. Espinoza to approve the minutes of November 24, 2003 and telephone polls of November 25, 2003 and December 1, 2003 as written. All aye. Motion carried 5-0.

APPROVAL OF TREASURER'S REPORT

A motion was made by K. Sifford and seconded by I. Dysart to approve the Treasurer's Report and Investment Recommendation as submitted. All voted in favor except B. Hooker. Motion carried 4-1.

STAFF REPORTS

City Treasurer

City treasurer Baron Powell reported the proceeds from the Pinehurst Development temporary note would be deposited in a special money market account on December 12, 2003. He reminded Mayor Scherer and Council President Espinoza that new signatures would need signed before any expenses could be paid out.

SCANNED

2-15-07 et

Chief of Police

Chief Weston reported the City of Basehor received a check from Federal Emergency Management Association for their participation in the Kansas City Kansas/Leavenworth County tornado disaster.

City Superintendent

City superintendent Gene Myracle reported a recent power spike burned out a capacitor at the wastewater treatment facility which would require him to buy additional parts necessary to hold the power. Mr. Myracle noted he would be working with the code administrator to come up with a solution to get action from Kansas Power & Light to solve the problems. The numerous power spikes and brownouts have also caused problems for the computers at city hall.

Code Administrator

Mike Hooper, code administrator, reported Items #2 and #3 concern a request for petition of annexation of two tracts of land owned by the Dyster family which is located at 166th & 24/40 Highway.

Mr. Hooper also reported, not listed on the agenda, is Basehor Plaza construction drawings and final plat plan. He stated he has not had an opportunity to review the subdivision agreement and noted conditions are outlined and should be agreed upon before approved.

UNFINISHED BUSINESS

Item #1. Election of Alternate Council President (AI #1)

NEW BUSINESS

Item #1. Renewal of Cereal Malt and Liquor License (AI #2)

- a. Casey's General Store – Cereal Malt Beverage License**
- b. Doc & Bruties Pizza & BBQ – Cereal Malt Beverage License**
- c. Simple Simons Pizza – Cereal Malt Beverage License**
- d. Kelley's Grille & Bar – Liquor License for Eating Establishment**
- e. Shorty's Liquor – Retail Liquor License**

There was no discussion or questions at this time.

Item #2. Petition and Resolution for Annexation of a Tract of Land Located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E/Petitioners: Karen and Donald Dyster (AI #3)

Item #3. Petition and Resolution for Annexation of a Tract of Land Located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E/Petitioners: John, Patricia & Donald Dyster (AI #4)

Council discussed Items 2 and 3 simultaneously. Councilman Espinoza asked the code administrator if the petitioners were aware the City of Basehor was not forming a benefit district and the property owners would have to petition for a benefit district at a later time. Mr. Hooper stated he informed the Dyster's when the petition was submitted.

Item #4. Creation of Position and Job Descriptions for Lieutenant and Corporal in Police Dept. (AI #5)

Chief Weston stated the police department needs to create a rank structure to establish a shift supervisor. Mayor Scherer stated only the corporal's position is budgeted for year 2004. The lieutenant's position is not budgeted for another two years and should not be discussed at this meeting.

Councilman Hooker stated he had some concerns about the job description included in their packet for the corporal's position. He asked that action regarding this position be tabled until he could meet with Chief Weston. Mayor Scherer suggested tabling the matter for thirty days. Chief Weston asked that action be taken at this meeting since he has already sent out applications to his officers.

Item #5. Wage Scale and Salaries for Year 2004 (AI #6)

Mayor Scherer suggested tabling wage scale for 2004 until a decision was made regarding the police department positions and wages. Chief Weston asked the city council to move forward regarding wages and salaries for year 2004 and requested the police department wages and position requests be discussed within the week.

Item #6. Construction Drawings and Final Plat Plan of Basehor Plaza.

Mayor Scherer announced he was the listing agent for Basehor Plaza and would turn this portion of the meeting over to council president Julian Espinoza at this time.

Aaron Hale, MKEC Engineering, stated the developers have concerns with three conditions in the subdivision agreement and requested variances.

1. Request they be allowed to construct their collector streets by using a compaction of 6" crushed rock base and 7" of asphalt. This variance would be in compliance with the APWA standards.
2. Oppose to making improvements to 155th Street, by constructing curbed right-in/right-out turn lanes. They felt this was something that KDOT should be doing rather than the developers of Basehor Plaza.
3. If turn lanes are required, they request a variance to eliminate curbing.

Councilman Espinoza questioned the code administrator as to the request for a variance on the construction of the collector street. Engineer McAfee and code administrator Mike Hooper recommended 6" rock with 8" asphalt. Mr. Hooper noted Prairie Lakes was allowed to construct their collector streets with 6" of rock and 6" of asphalt. He also noted he agreed with the city engineer with the requirement for turn lanes on 155th Street.

There being no further discussion, President Espinoza turned the meeting back over to Mayor Scherer.

CITIZENS AND PETITIONS (presentations limited to 5 minutes)

Item #1. (no written requests received)

Item #2. Citizen Comments Regarding Agenda Items

Mayor Scherer asked three times if there was anyone in the audience who wished to speak regarding any agenda item. No one came forward, therefore, the public portion of the meeting was closed.

ACTION ITEMS

Item #1. Approve or Deny Appointment of Alternate Council President

A motion was made by J. Espinoza to nominate K. Sifford as alternate council president. Motion died for lack of second.

~~Dysart moved to select an alternate council president at the beginning of a meeting. Motion died for lack of second. (1/12/04 Council moved to strike this paragraph from the record)~~

B. Hooker moved to not appoint an alternate council president. Dysart seconded the motion. Discussion followed. All voted in favor except J. Espinoza. Motion carried 4-1.

- Item #2. Approve or Deny Renewal of Cereal Malt and Liquor License**
- a. Casey's General Store – Cereal Malt Beverage License**
 - b. Doc & Bruties Pizza & BBQ – Cereal Malt Beverage License**
 - c. Simple Simons Pizza – Cereal Malt Beverage License**
 - d. Kelley's Grille & Bar – Liquor License for Eating Establishment**
 - e. Shorty's Liquor – Retail Liquor License**

A motion was made by J. Bonee and seconded by J. Espinoza to approve the renewal of cereal malt beverage license and liquor license for the aforementioned. All voted in favor except B. Hooker. Motion carried 4-1.

- Item #3. Approve or Deny Petition and Resolution for Annexation of a Tract of Land Located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E/Petitioners: Karen and Donald Dyster**

A motion was made by J. Espinoza and seconded by K. Sifford to approve the petition and resolution for the annexation of land owned by Karen and Donald Dyster (located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E). Espinoza, Sifford and Bonee-Aye. Hooker, Dysart-Nay. Motion carried 3-2.

- Item #4. Approve or Deny Petition and Resolution for Annexation of a Tract of Land Located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E/Petitioners: John, Patricia & Donald Dyster**

A motion was made by J. Espinoza and seconded by K. Sifford to approve the petition and resolution for the annexation of land owned by John, Patricia and Donald Dyster (located in SW ¼ of the NW ¼ of Sec. 10, Twp 11S, Rge 22E). Espinoza, Sifford and Bonee-Aye. Hooker, Dysart-Nay. Motion carried 3-2.

- Item #5. Approve or Deny Creation of Position and Job Descriptions for Lieutenant and Corporal in Police Dept.**

Item #6. Approve or Deny Wage Scale and Salaries for Year 2004

A motion was made by J. Espinoza and seconded by B. Hooker to table action until after the executive session. All aye. Motion carried 5-0.

A motion was made by J. Espinoza and seconded by K. Sifford to approve the employee wage scale and salaries for year 2004 as submitted. All aye. Motion carried 5-0.

Item #7. Schedule Worksession to Discuss the Position of City Administrator, Rank Positions and Corporal Job Description for Police Department

A motion was made by J. Espinoza and seconded by B. Hooker to schedule a worksession for December 12th at 8:00 am to review city administrator applications and discuss police department issues. All aye. Motion carried 5-0.

Item #8. Construction Drawings and Final Plat Plan for Basehor Plaza

Due to conflict of interest Mayor Scherer turned this portion of the meeting over to Council President Espinoza.

A motion was made by B. Hooker and seconded by K. Sifford to table action until the code administrator could meet with the developer regarding their variance requests. Discussion followed with Mr. Thurston stating he agreed to the right-in/right-out turn lanes. All aye. Motion carried 5-0. Council reserved the right to be polled via telephone once an agreement was made between the City and the developer.

The meeting was turned over to Mayor Scherer at this time.

Executive Session (Discuss Legal and Personnel Matters)

A motion was made by K. Sifford and seconded by J. Espinoza to convene into executive session until 8:20 p.m. to discuss personnel and legal matters. All aye. Motion carried 5-0. (7:45 p.m.)

At 8:20 p.m., Mayor Scherer requested another executive session until 8:40 p.m. to discuss personnel and legal matters.

A motion was made by K. Sifford and seconded by B. Hooker to convene into an executive session until 8:40 p.m. to discuss personnel and legal matters. All aye. Motion carried 5-0. (8:20 p.m.)

Council came out of executive session at 8:40 p.m. with the mayor announcing that no formal action was taken in executive session. At this time a five minute break was taken.

At 8:45 p.m., Mayor Scherer called the regular meeting back to order announcing the following items needed to be addressed and action taken.

A motion was made by K. Sifford and seconded by J. Espinoza to proceed with hiring of a police corporal from within the police department with the job description as presented. All voted in favor except B. Hooker. Motion carried 4-1.

A motion was made by J. Espinoza and seconded by K. Sifford to table the creation of a Lieutenants position. All aye. Motion carried 5-0.

A motion was made by J. Espinoza and seconded by K. Sifford to authorize the city attorney to move forward with a protective filing for petition for annexation of Cedar Lakes and Timber Lakes **(1/12/04 Amended Timber Lakes to read Glenwood Estates)** Subdivisions so the City of Basehor can secure their surrounding area. All aye. Motion carried 5-0.

MAYOR'S REPORT

There were no reports at this time.

COUNCIL MEMBER REPORTS

There were no reports at this time.

ADJOURNMENT

There being no further business to discuss, a motion was made by J. Espinoza and seconded by K. Sifford to adjourn the regular meeting and go into a worksession to discuss the East/West Interceptor Line (Miles). All aye. Motion carried.

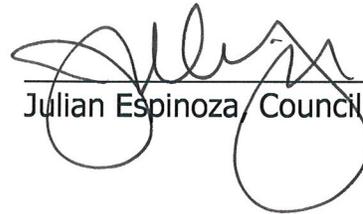
Worksession

Council discussed the East/West Interceptor Line (aka Miles). Council members Hooker and Dysart stated they felt Miles Excavating should complete the 24/40 Hwy Interceptor Project as bid and if Mr. Miles wants to connect to the 24/40 Hwy line he can pay for all of his cost to do so. They supported Option #4 as presented by the code administrator.

Based on this discussion, Mayor Scherer ended the worksession and directed the city clerk to poll the council regarding their vote to authorize expenses necessary for the modification and installation of the lift station located on Cole Property at 150th & 24/40 Hwy. (Option #4).

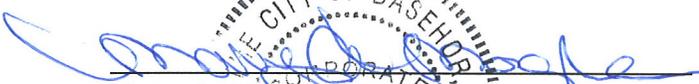
At 9:15 p.m, the worksession was adjourned.

Submitted for Council approval with/without corrections this 12th day of January, 2004.



Julian Espinoza Council President

Attest:


Mary A. Mogle, City Clerk