
MINUTES

BASEHOR CITY COUNCIL

January 23, 2002

7:00 PM

Basehor City Hall

Official Presiding: Mayor William "Bill" Hooker

Members Present: Joseph Odle, Chris Garcia, Burl Gratny, Julian Espinoza

**Staff Present: Baron Powell, Gene Myracle, John Thompson, Mary Mogle,
Vince Weston, Matt Henderson**

The monthly meeting of the Basehor City Council was called to order by Mayor Hooker with all members present except Pres. Joseph Scherer. Pledge of Allegiance was recited followed by a moment of silence.

EXECUTIVE SESSION

A motion was made by B. Gratny and seconded by J. Espinoza to adjoin into an executive session from 7:02-7:32 pm for the purpose of discussing personnel and attorney-client privileged matters. All aye. Motion carried 4-0.

Mayor Hooker reconvened into regular session at 7:32 pm.

A motion was made by J. Espinoza and seconded by C. Garcia to reconvene back into executive session for up to twenty minutes for the purpose of discussing attorney-client matters. All aye. Motion carried 4-0.

At 7:40 pm, Mayor Hooker called the regular meeting back to order.

MINUTES

A motion was made by J. Espinoza and seconded by B. Gratny to approve the minutes of December 17th and January 2, 2002 telephone poll as printed. All aye. Motion carried 4-0.

TREASURER'S REPORT

City treasurer, Baron Powell, reported he revised the End-of-Year Transfer that was originally placed in their packets. The revised recommendations were as follows:

- Transfer \$4,950 from General Fund to Capital Improvement Fund
- Transfer \$.00 to Municipal Equipment Reserve Fund
- Transfer \$4,417 from Sewer Fund to Sewer Replacement Fund
- Transfer \$12,000 from Solid Waste Fund to General Fund

A motion was made by J. Odle and seconded by J. Espinoza to approve the December 2001 Treasurer's Report and Supplement Payments as submitted, and annual transfers for 2001 as recommended by the city treasurer. All aye. Motion carried 4-0.

State Revolving Loan Payments – Treasurer Powell reported the State Revolving Loan payments have increased from \$180,000 in September 2002 to \$206,000. He will prepare a revised long-range statistic report for their review.

STAFF REPORT**City Engineer**

Mr. Matt Henderson , McAfee Engineering, updated the governing body on the projects their firm is currently handling for the City of Basehor. He reported inspections are being made at the Falcon Lakes project and construction will commence at Prairie Lakes next week. He also noted McAfee Engineering is in the process of updating the city's street and boundary maps.

CITIZENS AND PETITIONS

Debbie Breuer, owner of Basehor Shopping Center, appeared before the Council to request an abatement of the excise tax for the remodeling of the shopping center that was damaged due to fire. Mrs. Breuer explained the repairs being made to the shopping center are extensive and costly. She estimated the project should be complete in June or July 2002.

Mayor Hooker stated he is in support of waiving the excise tax and requested Council approval. The code administrator was asked if he had estimated the

excise tax and Neighborhood Revitalization Plan (NRP) abatement. Mr. Hooper reported he estimated the excise tax to be approximately \$10,000 and is not able to estimate the NRP abatement without knowing the property valuation.

Councilman Gratny suggested the excise tax ordinance allow waivers for properties that have been damaged by fire and act of God. Councilman Odle stated the excise tax should be adhered to in its original form or rescind. He does not feel the ordinance should be adapted to meet individual needs.

Council unanimously agreed to meet in a worksession on February 1 at 5:00 PM to discuss the excise tax ordinance and Mrs. Breuer's request.

Don Cooper, Commercial Group, appeared to request the passage of a Resolution authorizing a Housing Tax Credit Application be filed with the Kansas Dept. of Commerce and Housing (KDOCH) for an affordable housing complex. He noted the complex will include 36 apartments, community clubhouse, walking path, playground, and other amenities. Mr. Cooper reported the property being considered is located at 14301 Parallel. The application is due to KDOCH by February 8th.

Council will address the request under Action Items.

Bob Rousey, Cohen-Esrey, appeared before the Council requesting a resolution be passed authorizing a Housing Tax Credit Application be filed with Kansas Department of Commerce and Housing (KDOCH) for a 24 unit elderly (age 55 and older) housing complex. The complex will also have a community clubhouse, attached garage, storm "safe rooms", security system, internet access and other amenities. The location being considered for this project is located at 153rd and Martha. The property is located outside the city limits and will be voluntarily annexed.

Council will address the request under Action Items.

Citizen Comments Regarding Agenda Items – Mayor Hooker announced this portion of the meeting is for those in the audience who wish to comment on any agenda item.

David Breuer questioned what form of tax credit would be received by Commercial Group and Cohen-Esrey. Mr. Cooper, Commercial Group noted they are tax credits issued by the federal government.

Mr. Breuer questioned the city treasurer as to the reason for the change in the State Revolving Loan payment. Mr. Powell noted it was because the city increased their loan for the 24/40 Interceptor line project which made the loan payment increase from \$180,000 to \$206,000.

John Breuer stated he supported waiving the excise tax for the shopping center. The excise tax is for the purpose of building roads and the shopping center is being remodeled and is not new construction.

The public portion of the meeting was closed.

ACTION ITEMS

Item #1. Approval to Adopt Resolution Authorizing a Housing Tax Credit Application to be Filed with the Kansas Dept. of Commerce and Housing (Commercial Group/Affordable Housing)

A motion was made by B. Gratny and seconded by C. Garcia to adopt a resolution authorizing a housing tax credit application be filed with Kansas Dept. of Commerce and Housing for affordable housing. All aye. Motion carried 4-0.

Item #2. Approval to Adopt Resolution Authorizing a Housing Tax Credit Application to be Filed with the Kansas Dept. of Commerce and Housing (Cohen-Esrey/Elderly Housing)

A motion was made by J. Odle and seconded by J. Espinoza to adopt a resolution authorizing a housing tax credit application be filed with Kansas Dept. of Commerce and Housing for elderly housing. All aye. Motion carried 4-0.

Item #3. Approval of Change Orders for Falcon Lakes Project

A motion was made by B. Gratny and seconded by C. Garcia to approve Change Order 1 (\$51,664) and Change Order 2 (\$5,780) for Falcon Lakes project as submitted. All aye. Motion carried 4-0.

Item #4. Approval of Contractor Payments for Falcon Lakes Project

A motion was made by J. Odle and seconded by J. Espinoza to approve contractor payments in the amount of \$772,727.69 for the Falcon Lakes Project. All aye. Motion carried 4-0.

Item #5. Approval of Annual Donation to Leavenworth Area Development

A motion was made by J. Espinoza and seconded by C. Garcia to discuss this item at the February 1 worksession. All aye. Motion carried 4-0.

The city clerk was directed to invite Mr. Carlson to the worksession.

Item #6. Approval to Schedule a Worksession to Discuss 2002 Departmental Projects.

Council unanimously agreed to hold a worksession on February 11 at 5:00 pm to discuss departmental projects.

Item #7. Approve Purchase of Portable Generator (Spec Hwy)

A motion was made by J. Odle and seconded by B. Gratny to purchase a DeWalt DG6000 generator for \$1,849.00. The equipment will be paid for from the Special Highway Capital Outlay fund. All aye. Motion carried 4-0.

Item #8. Approve Purchase of Tools for Sewer and Maintenance Dept.

A motion was made by J. Odle and seconded by J. Espinoza to allow the city superintendent to spend up to \$5,000 for tools upon receiving authorization from the mayor. All aye. Motion carried 4-0.

Item #9. Approve Purchase of Sewer Easement

A motion was made by B. Gratny and seconded by J. Espinoza to purchase a sewer easement (from Francis Scherer). The easement will be paid for through Falcon Lakes Temporary Note proceeds. All aye. Motion carried 4-0.

Item #10. Approve Ordinance Defining the Boundaries of the City of Basehor, KS.

A motion was made by C. Garcia and seconded by J. Espinoza to approve the ordinance defining the boundaries for the City of Basehor, KS as submitted. All aye. Motion carried 4-0.

Item #11. Approve Ordinance Authorizing the Creation of Water Utility

A motion was made by J. Odle and seconded by B. Gratny to rescind Charter Ordinance No. 11 and adopt an ordinance with the same language creating a water utility. All aye. Motion carried 4-0.

Resident, Susan Guy, questioned if the residents of Basehor had any recourse in petitioning against the City adopting the ordinance. City attorney, John Thompson, stated there is no mechanism in the state law that allows for a protest petition to be filed.

MAYOR'S REPORT

Mayor Hooker reported he is checking into other cell phone plans and so far he feels the current plan is the most affordable and need to better manage the time of usage.

COUNCIL MEMBER REPORTS**Julian Espinoza**

Councilman Espinoza reported he, Mayor Hooker, code administrator Mike Hooper and some planning commission members attended a joint county planning meeting Tuesday, January 22. He noted it was very informative as to the different items being considered throughout the county and felt continued communication between city and county would be advantageous.

Mayor Hooker concurred with Councilman Espinoza.

Burl Gratny

Councilman Gratny questioned the status of demolition of the cabinet shop. Mayor Hooker reported a man by the name of Dan Foy is interested in purchasing the building to rehabilitate it into office and retail shops.

Council members expressed they were not in favor of rehabilitating the building and wanted to adhere to the agreement between the City and Basehor Cabinet Shop to demolish the building.

OTHER TOPICS

David Breuer questioned the status of the condemnation of the sewer easement on the Swann property. City attorney, John Thompson, reported he will be appearing before Judge King in district court tomorrow to file an order to commence with the appointment of appraisers. Mr. Thompson stated, once the order is approved, Mr. Breuer can continue to work on the Falcon Lakes project.

ADJOURNMENT

A motion was made by B. Gratny and seconded by C. Garcia to adjourn the meeting. All aye. Motion carried 4-0. Meeting adjourned at 9:35 p.m.

Submitted for Council approval with/without corrections this 19th day of February, 2002.



William W. Hooker, Mayor

Attest:



Mary A. Mogle, CMC

The January 23, 2002 council packet is incorporated by reference.