MINUTES

BASEHOR CITY COUNCIL MEETING
October 15, 2001
7:00 PM
Basehor City Hall

OFFICIAL PRESIDING: Mayor William "Bill" Hooker

MEMBERS PRESENT: Pres. Joseph Scherer, Joseph Odle, Chris Garcia, Burl Gratny and Julian Espinoza

Staff Present: Vince Weston, Gene Myracle, Mike Hooper, John Thompson, Joe McAfee, Baron Powell and Mary Ann Mogle

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The meeting was called to order promptly at 7:00 PM by Mayor Hooker. Roll call was taken with all members present except Julian Espinoza. Pledge of Allegiance was recited.

EXECUTIVE SESSION

A motion was made by J. Scherer and seconded by J. Odle to convene into an executive session for up to 15 minutes regarding easements and attorney-client matters. All aye. Motion carried 5-0. (7:01 PM)

At 7:16 PM, Mayor Hooker reconvened the regular meeting.

A motion was made by C. Garcia and seconded by J. Espinoza to convene back in executive session for up to 15 minutes to discuss Falcon Lakes easements and attorney-client matters. All aye. Motion carried 5-0. (7:17 PM)

At 7:34 PM, Mayor Hooker reconvened the regular meeting.

MINUTES

Councilman Scherer noted that on page 5, paragraph one and two, of the September 17th minutes, the record should reflect;

Change 1:
"Jeff Scherer (delete Joseph Scherer) agreed to change location of the driveway and the engineer's recommendations for Phase II"

Change 2:
"A motion was made by J. Odle and seconded by C. Garcia to approve the Final Plat of Iron Creek Phase II and the driveway accessing onto Pebble Drive as required and approved by the Planning Commission and Governing Body when the building permit was issued for the house on the twenty (20) acre tract, as is reflected in the Planning Commission minutes of October 6, 1998 and Council minutes of October 19, 1998.

A motion was made by J. Odle and seconded by C. Garcia to approve the Minutes of September 17, with the aforementioned corrections. All aye. Motion carried 5-0.

A motion was made by J. Odle and seconded by C. Garcia to approve the telephone poll of September 18, 2001 as printed. All aye. Motion carried 5-0.

A motion was made by C. Garcia and seconded by B. Gratny to approve the September 24, 2001 Worksession minutes as printed. All aye except J. Scherer who abstained. Motion carried 4-0-1.

A motion was made by J. Scherer and seconded by J. Espinoza to approve the telephone polls of September 25th and October 5th as printed. All aye. Motion carried 5-0.

TREASURER'S REPORT

September Treasurer Report & Supplement - A motion was made by C. Garcia and seconded by J. Odle to approve the September 2001 Treasurer's Report and October 15, 2001 Supplement as submitted. All aye. Motion carried 5-0.

Investments - The treasurer's recommendation included reinvesting CD 14111 for a period of 6 mo. Council suggested looking into a 91-day term since the interest rates are fluctuating.

A motion was made by C. Garcia and seconded by J. Espinoza to approve the October 2001 Investment Report and direct the city treasurer to research short term investment period. All aye. Motion carried 5-0.

Adjustment to Sewer Rates - City treasurer, Baron Powell, provided council with a report substantiating his request for an sewer rate increase. Mr. Powell reported in order to meet maintenance and debt service payments, it will be necessary to increase the monthly sewer rates from 4.82/l000 gallons of water to 6.26, which represents a 29.88% increase. He noted this will be a very unpopular increase; however, a necessary one.

C. Gratny moved to add an additional statement clarifying that residents can have their bills re-evaluated upon provided water bills and that water rates are based on December, January and February water bills of the previous year. J. Espinoza seconded the motion. All

aye. Motion carried 5-0. (Action to amend 5.01MP, Sewer Rate Increase, was addressed under Action Items)

STAFF REPORTS

There were no staff reports at this time.

CITIZENS AND PETITIONS

Charles Wilderson, representative for PRIDE and Gold PRIDE, was present to report Basehor PRIDE won first place in the state contest again this year. The organization won the "Community of Excellence Award" and received a $500.00 cash award. Mr. Wilderson asked for council permission to construct a shelf in the meeting room to display the awards, continued council and staff support and a donation of $100 for the 2001 Holiday Lighting Contest (cash prizes are awarded to city residents only).

Mayor and Council thanked Mr. Wilderson and PRIDE organizations for all their hard work and pledged their continued support and granted permission to construct the display shelf in the meeting room. Mayor Hooker noted the board will address the donation under "Action Items".

Peter Opperman, land planner for Prairie Gardens Subdivision, was present to give a design overview of the 270-acre tract of land located at 158th & Parallel. He described the plan as being a "community within a community" that would be comprised of residential, multi-residential, commercial and municipal buildings (city hall, school, library). Mr. Opperman noted some of the subdivision regulations that would need to be changed in order to accomplish this design. Council discussed the pros and cons of allowing these changes.

John Breuer, 7550 Legler, Shawnee Mission, Kansas, was present to request city participation to chip-n-seal 158th Street. He noted the cost of the project from 24-40 Hwy north to Parallel would be $163,360 of which the county would pay $50,000. Adjoining property owners would pay the majority of costs and requested the city pay $8,000 for engineering fees.

Council discussed whether they should deviate from city street standards and the possibilities of creating a benefit district to curb and gutter 158th Street. Councilman Scherer suggested adding this matter to their next scheduled worksession (Nov. 5).

Citizen Comments Regarding Agenda Items - Mayor Hooker opened the floor to citizens wishing to comment on any October 15th agenda item. No one came forward, therefore the public portion of the meeting was closed.

ACTION ITEMS

Item #1. Approval of Payments to Contractors for Wastewater Treatment Facility
(none this month)

Item #2. Approval to Purchase Tractor/Mower for Public Works Dept.

This matter was tabled until further notice.

Item #3. Approval to Accept Final Plat and Subdivision Agreement for Phase II of Iron Creek Subdivision

A motion was made by B. Gratny and seconded by J. Odle to authorize the mayor to sign the Subdivision Improvement Agreement and Plat for Phase II of Iron Creek Subdivision. All voted in favor except J. Scherer who abstained. Motion carried 4-0-1.

Item #4. Approval of Ordinance Amending Zoning Regulations

A motion was made by J. Scherer and seconded by J. Odle to discuss at next scheduled worksession (Nov. 5) and reserve the right to be polled following the worksession. All aye. Motion carried 5-0.

Item #5. Approval of Falcon Lakes change Order No. 1

Change Order No. 1, Item #1:
McCordendale Construction:
Additional installation of sewers lines "B" and "E", which will extend sewer to the property owned by Zarda Brothers. Cost - $38,881.00

Change Order No. 1, Item #2:
Cons. Rural Water District No. 1:
Estimated cost associated with lowering of the water main along 147th Street.
Estimated Cost - $17,125.80

A motion was made by J. Scherer and seconded by J. Odle to approve Change Order No. 1, Items 1 & 2 as submitted. All aye. Motion carried 5-0.

Item #6. Approval to Pay Contractors for Falcon Lakes Project

A motion was made by C. Gratny and seconded by C. Garcia to make payments to contractors, in the amount of $339,196.15, associated with Falcon Lakes Project. All voted yes except J. Odle. Motion carried 4-1.

Item #7. Approval of Resolution and Ordinance to Proceed with Condemnation of Easements for Falcon Lakes Interceptor Line

A motion was made by J. Odle and seconded by J. Espinoza to allow code administrator, Mike Hooper, to continue negotiating with property owners for easements, pay property owners who have, to this date, agreed to sign easement agreements, and approve the Resolution and Ordinance ordering condemnation of land for sewer lines, from property owners who have not agreed to sign agreements, concerning the Falcon Lakes Project. All voted in favor except J. Scherer who abstained. Motion carried 4-0-1.

RES. 2001-11 A RESOLUTION DECLARING THE NECESSITY AND DESCRIPTION OF INTERESTS IN LAND TO BE ACQUIRED BY EMINENT DOMAIN

ORD. 384 AN ORDINANCE DECLARING THE NECESSITY OF APPROPRIATING CERTAIN PRIVATE PROPERTY BY CONDEMNATION FOR PERMANENT EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS AND SEWER CONSTRUCTION PURPOSES AND AUTHORIZING AND DIRECTING THE APPROPRIATION OF SAID PRIVATE PROPERTY BY CONDEMNATION AND ADOPTING AND APPROVING THE SURVEY AND DESCRIPTION OF LAND REQIRED AS MADE BY THE CITY ENGINEER AND FILED WITH THE CITY CLERK OF THE CITY OF BASEHOR, KANSAS.

Item #8. Approval to Amend Municipal Policy 5.01MP, Wastewater Connection and Treatment Fees (Increase Monthly Sewer Rate Effective January 1, 2002)

A motion was made by J. Odle and seconded by J. Espinoza to approve the amendment to the Municipal Policy 5.01MP, to include the changes made in the treasurer's report. All aye. Motion carried 5-0.

(This amendment will increase the monthly sewer rate from 4.82/1000 gallons to 6.26/1000 gallons, effective January 1, 2002 and will allow property owners to have their monthly bills re-evaluated once a year, upon request.)

Item #9. Schedule Public Hearing for Neighborhood Revitalization Plan

A motion was made by C. Garcia and seconded by J. Scherer to set and worksession for November 5 at 7:00 PM to discuss the Neighborhood Revitalization Plan with taxing entities and hold public hearing at 7:00 PM on November 19, 2001. All aye. Motion carried 5-0.

Item #10. Schedule Worksession with Employees to Discuss Employee Policy Issues

A motion was made by J. Scherer and seconded by J. Odle to schedule a worksession at 6:00 PM on November 19, prior to council meeting, to meet with employees to discuss employee policy issues. All aye. Motion carried 5-0.

Item #11. Schedule Public Hearing to Consider the Adoption of a Charter Ordinance Creating a Transportation Excise Tax

A motion was made by B. Gratny and seconded by J. Espinoza to hold a public hearing on December 3, 2001 at 7:00 PM to consider the adoption of a Charter Ordinance Creating a Transportation Excise Tax. All aye except J. Scherer who voted no. Motion carried 4-1.

Item #12. Approval to Donate $100.00 to the Basehor Chamber of Commerce for the Holiday Decorating Contest

A motion was made by J. Odle and seconded by J. Espinoza to donate $100.00 to the Basehor Chamber of Commerce for the Year 2001 Holiday Decorating Contest. All aye. Motion carried 5-0.

MAYOR'S REPORT

USD #458 - Mayor Hooker reported he met with school superintendent, Dr. Cormack and building director, Don Swartz to discuss the Neighborhood Revitalization Plan and school crossing guards. Meetings will be scheduled at a later date to discuss school crossing guards in detail.

Cabinet Shop Demolition Grant - A report was given by Mayor Hooker that Miles Excavating Company would not bond his company to demolish the cabinet shop; therefore, the situation is under further review. The mayor also reported he is still looking into applying for an "emergency grant" to assist the city in paying for the clean-up of the property.

Council Meeting Date - Mayor Hooker suggested changing the council meeting date from the 3rd Monday of the month to the 3rd Thursdays. This would allow council members and himself to attend school board meetings when necessary. The majority of the members were not receptive to changing the date.

League of Kansas Municipalities Annual Dinner - Mayor Hooker noted the League of Kansas Municipalities Annual Progress Meeting is scheduled for November 28, in Lenexa. Any council member who wished to attend should contact the city clerk for reservations.

COUNCIL MEMBER REPORTS

Joseph Scherer

Department Capital Improvements List - Pres. Scherer stated he felt the council should re-discuss the department "wish" lists and should think about scheduling a worksession at the beginning of year 2002.

ADJOURNMENT

There being no further business to discuss, a motion was made by B. Gratny and seconded by J. Odle to adjourn the meeting. All aye. Motion carried 5-0. Meeting adjourned at 9:45 PM.

Submitted for Council approval with/without corrections this 19th day of November, 2001.

William W. Hooker, Mayor

Attest:

Mary A. Mogle, City Clerk CMC