MINUTES

Basehor City Council
December 17, 2001
7:00 PM
Basehor City Hall

Official Presiding: Mayor William Hooker

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

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

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The meeting was called to order by Mayor William Hooker with all members present. Pledge of Allegiance was recited followed by a moment of silence. Mayor Hooker asked everyone to remember those people have lost their job due to the recent fire at the shopping center.

Neighborhood Revitalization Plan Public Hearing

Code Administrator, Mike Hooper summarized the proposed Neighborhood Revitalization Plan and noted the changes to the plan as previous presented were as follows:

- Section C - Residential properties platted after July 31, 1991 will not be eligible for exemption.

- Section E - Changes the application period from 120 days to 60 days.

Mayor Hooker opened the floor to the public for comments. There were none, therefore, the public portion of the meeting was closed.

Following a brief discussion regarding the platting date, it was decided the date in Section C should be changed to July 1, 1991 rather than July 31, 1991.

A motion was made by B. Gratny and seconded by J. Espinoza to approve the Neighborhood Revitalization Plan changing Section E from 120 days to 60 days, Section C to read "New Construction of a single-family or multi-family residential structure shall not be eligible, except on vacant platted lots in an established neighborhood platted prior to July 1, 1991". All aye. Motion carried 5-0.

The public hearing was closed.

SCANNED

At this time, Mayor Hooker called the regular monthly meeting to order.

EXECUTIVE SESSION

A motion was made by J. Scherer and seconded by B. Gratny to convene into an executive session for a period of up to thirty minutes to discuss attorney-client privileged matters and personnel. All aye. Motion carried 5-0. (7:10 p.m)

At 7:42 p.m., Mayor Hooker called the meeting back to order with Pres. Scherer requesting another executive session for up to thirty minutes to discuss attorney-client privileged matters and personnel. J. Odle seconded the motion. All aye. Motion carried 5-0.

At 8:02 p.m. the regular meeting was called back to order.

MINUTES

A motion was made by B. Gratny and seconded by J. Scherer to approve the Minutes and telephone polls as printed and listed on the agenda. All aye. Motion carried 5-0.

TREASURER'S REPORT

Treasurer's Report, Supplement & Investments – City treasurer, Baron Powell reported a 1.6 million dollar certificate of deposit (for Falcon Lakes Project) matures on December 18th. Mr. Powell's recommendation would be to reinvest $800,000 with Community National Bank at the rate of 2.72% APY, for a period of 90 days, and deposit the balance into the Falcon Lakes Account.

A motion was made by J. Scherer and seconded by J. Espinoza to approve the treasurer's investment recommendations, November 2001 Treasurer's Report and December 17th Supplement.

STAFF REPORTS

Chief of Police

Shopping Center Fire Update - A report was given that several businesses were effected by the fire at the shopping center, which occurred on December 15th. The fire has been ruled as arson and is being investigated by Alcohol, Tobacco and Firearms.

Pres. Scherer questioned if the City of Basehor has the authority to ask the owners of the shopping center to provide copies of their insurance coverage. Mr. Scherer noted he is

concerned about the property having adequate coverage and does not want the City to be liable for any demolition costs. The city attorney stated the City does have that authority to make such a request.

Mr. Hooper reported, prior to the fire, the property owners were in the process of taking steps to have the building remodeled and architects have been onsite to assess the damages.

Mayor Hooker stated he would contact the property owners to see about acquiring the necessary insurance policy.

City Superintendent

Country Meadows Subdivision – Councilman Espinoza questioned the city superintendent as to the work remaining in Country Meadows Subdivision. Mr. Myracle reported the streets are scheduled to be overlayed next year and approximately 240 ft. of ditch needs to be finished.

CITIZENS AND PETITIONS

Citizen Comments Regarding Agenda Items - Mayor Hooker opened the public portion of the meeting for comments regarding any agenda item. There were none, therefore, the public portion of the meeting was closed.

ACTION ITEMS

Item #1. Approval of Contractor's Payments for Wastewater Treatment Facility Project

A motion was made by J. Odle and seconded by C. Garcia to approve contractor's payments for wastewater treatment facility as presented. All aye. Motion carried 5-0.

Item #2. Approval of Contractor's Payments for Falcon Lakes Subdivision

A motion was made by J. Espinoza and seconded by J. Odle to approve contractor payments for Falcon Lakes Subdivision was presented. All aye. Motion carried 5-0.

Item #3. Approval to Amend Employee Policy Manual

A motion was made by J. Odle and seconded by C. Garcia to approve the proposed changes to the Employee Policy Manual as presented. All aye. Motion carried 5-0.

Item #4. Approval to Accept Final Plat and Subdivision Agreement for Phase III of Iron Creek Subdivision (Scherer Const., Developer)

A motion was made by B. Gratny and seconded by J. Espinoza to approve the Final Plat and Subdivision Agreement for Phase III of Iron Creek Subdivision with the addition to the agreement, by allowing sidewalks across lots not built on prior to the end of the two year maintenance bond to be constructed within 60 days after the maintenance is to expire. All voted in favor with Pres. Scherer abstaining. Motion carried 4-0-1.

Item #5. Approval of Budget Transfers and Amendments

The city clerk noted the recommended transfers and amendments would not be ready until December 31, 2001 bills are paid and reserved the right to poll council at a later date. Council agreed.

Item #6. Approval to Renew Cereal Malt Beverage License & Liquor License

City clerk, Mary Mogle reported due to the recent fire, the proprietor of Rumsey's Liquor Store requested their license fees be returned since they do not plan on reopening.

A motion was made by B. Gratny and seconded by J. Scherer to approve the cereal malt beverage license for Doc & Bruties Pizza, The Rose Room, Bichelmeyer's Grocery and Casey's and liquor license for Kelley's Grille and Bar. All aye. Motion carried 5-0.

Item #7. Approval of Employee Wage Increase

A motion was made by J. Odle and seconded by J. Espinoza to approve the proposed employee wage increase as presented. All aye. Motion carried 5-0.

Item #8. Approval of Court Services Contract with Leavenworth County/City Probation

A motion was made by J. Odle and seconded by J. Espinoza to approve the contract with Leavenworth County for court services. All aye. Motion carried 5-0.

Item #9. Approval to Renew Worker's Compensation with Kansas Municipal Insurance Trust for Year 2002

A motion was made by B. Gratny and seconded by J. Scherer to approve the renewal of Worker's Compensation with Kansas Municipal Insurance Trust for Year 2002. All aye. Motion carried 5-0.

Item #9. Approval to Adopt Ordinance and Resolution to Provide Water to Falcon Lakes Properties.

Mr. Scherer stated Section 10, 15, and 25 should be written into a municipal policy since they are subject to change on an annual basis.

A motion was made by J. Scherer and seconded by B. Gratny to approve the Charter Ordinance with the aforementioned changes. All aye. Motion carried 5-0.

MAYOR'S REPORT

Nothing to report at this time.

COUNCIL MEMBER REPORTS

Joseph Scherer

Pres. Scherer informed the Council he would not be available for the February council meeting.

Joseph Odle

Sunflower Cable Co. – Councilman Odle reported he has not been satisfied with services from Sunflower Cable Co. He noted he had the service technicians out to his residence and received no results. He contacted the city clerk to have her report the situation. She did not receive a return call from the company at that time. Several days later she made another call and received a response. He expressed his dissatisfaction with not having an office in the City of Basehor as stipulated in the franchise. Other council members reported they have experienced similar problems.

Mayor Hooker stated he would send a letter to Sunflower Cable Co. regarding the problems and franchise requirements.

Chris Garcia

Cabinet Shop Demolition – Councilman Garcia questioned if a schedule has been given by Miles Excavating as to when the cabinet shop will be raised. The city superintendent stated Miles Excavating is involved in a large project and plan to raise the fire damaged building when the weather turns cold. Council expressed their dissatisfaction in waiting much longer due to safety concerns.

Mayor Hooker stated he would contact Mr. Miles regarding a deadline for completion of the project.

Chris Garcia

Highview Industrial Park – Councilman Garcia questioned the status of Highview Industrial Park. Mr. Hooper noted curb and gutter has been installed and asphalt is scheduled to be layed next week.

Julian Espinoza

Easement Encroachment Agreement – A motion was made by J. Espinoza and seconded by B. Gratny to approach the Easement Encroachment Agreement as presented. Garcia, Espinoza, Gratny-Aye. Scherer and Odle-Nay. Motion carried 3-2.
Adjournment

There being no further business to discuss, Pres. Scherer moved to adjourn the meeting. J. Espinoza seconded the motion. All aye. Meeting adjourned 8:40 p.m.

Submitted for Council approval with/without corrections this 23rd day of January, 2002.

William W. Hooker, Mayor

Attest:

Mary A. Mogle, CMC

The Council packet of December 17, 2001 is incorporated by reference.