

AGENDA

BASEHOR CITY COUNCIL WORK SESSION

January 12, 2009

6:00 p.m.

Basehor City Hall

Order of agenda revised to accommodate USD 458, scheduled school board meeting at 7:00 p.m.

1. USD 458 Building Fees – consider waiving excise tax, building permit fee, and payment in lieu of construction for sidewalks.
2. 147th Street and State Avenue access issues.
3. Discuss capital improvement program and possibility of partnership with UG on K-7/Donahoo Road project.
4. Consider the option of implementing contractor licensing within the City of Basehor.

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Minutes

BASEHOR CITY COUNCIL WORK SESSION

January 12, 2009

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Chris Garcia

Members Present: Pres. Iris Dysart, Terry Hill, Keith Sifford, Jim Washington

Members Absent: Roger McDowell

**Staff Present: Carl Slaugh, Lloyd Martley, Mary Mogle, Gene Myracle,
Dustin Smith**

Newspaper: (none present)

The work session was called to order by Mayor Chris Garcia with all members present with the exception of council member's McDowell and Hill.

(Order of agenda revised to accommodate USD 458, scheduled school board meeting at 7:00 p.m.)

1. USD 458 Building Fees – consider waiving excise tax, building permit fee, and payment in lieu of construction for sidewalks.

Mr. Slaugh explained the school district has submitted a request to build an 8,000 sq. ft. wellness center behind the existing high school and asked the City to waive excise, building permit, and sidewalk fees. *(Councilmember Hill arrived at 6:05 p.m.)* Following a pre-development meeting between representatives of USD #458 and city staff five items were unresolved and required council direction.

The main items of concern are the following *(extracted from Agenda Item Information Form)*:

1. Platting requirement (item #2) – means for obtaining dedication of right of way for street and obtaining and recording utility easements. Reference Subdivision Regulations, p. 7-8.
2. Transportation Excise Tax (item #3) – city ordinance 387, 20 May 2002, requires payment of 0.09 cents per square foot. Request to waive entirely or apply only to the building construction area and not to the whole 54 acres of high school property to be platted.
3. Building Permit Fees (items 1, 13, 15) – waive building permit fees; fees have not been computed since a building site plan has not been submitted as yet

4. Public Hearing Requirement (item #5) – Zoning Regulation, section 12.06, based on the requirement for a preliminary plat and Subdivision Reg, section 2-102, para. 5 pre-plat; basically if the property is required to be platted, then a public hearing is necessary.
5. Sidewalks (additional item 1) – requirement to make a payment of \$4.60 per linear foot of frontage (PILOC) for the entire high school property or \$59,800. This is a new requirement approved by the city council. The question posed is if the requirement should apply to the entire street frontage of the school property since there are no sidewalks, even though construction does not take place on the frontage.

Dr. Albers pointed out this was to be a building that would sit behind the high school and involve a small portion of the property approximately 150 ft. from Parallel and 155th Street. He felt it was unreasonable to require the school district to pay \$250,000 in taxes for a \$700,000 building. Mr. Howard suggested the Board of Education provide a letter stating when improvements were made to 155th Street; then sidewalks would be constructed at the school districts expense. Councilmember Washington supported waiving excise tax, but not permit fees, and thought a letter of promise regarding construction of sidewalks in the future would suffice.

Councilmember Sifford asked if the wellness center was part of the bond issue. Dr. Albers stated it was not included in the bond issue and would be paid from capital outlay funds. Mr. Howard hopes in the future to open the facility before and after school for the community, although that had yet to be discussed among the school board. Mayor Garcia stated he would support the center if it were opened to the community. He explained the library entered into an escrow fund for their sidewalks and thought that may be an option for the school district as well. President Dysart asked for an estimate of fees. Mr. Smith noted the exact amount of fees had yet to be determined since plans have not been submitted. Councilmember Washington stated he would like to see all property platted within the City and felt the school district should plat their property in conjunction with this project.

The planning director reported the plat should be submitted at the time plans are submitted. Mr. Smith explained he recently sent letters to four other property owners regarding the construction of sidewalks and cautioned council that some may consider this a discriminatory act. Councilmember Washington did not feel it was discriminatory since it was one government entity dealing with another government entity.

The city administrator reported KDOT representative Jim Pickett was to appear regarding items 2 and 3 and had yet to arrive. He requested item 4 be discussed next.

4. Consider the option of implementing contractor licensing within the City of Basehor.

Building Inspector Mark Lee presented a PowerPoint presentation substantiating his position for contractor licensing. The intent of licensing was to make sure contractors were qualified to perform electrical, plumbing, and HVAC. This also helps to protect

property owners as well. He gave an example, if homeowner were to build their own home, they would not need to be licensed, but their contractors would need a license. Contractors would be required to maintain a \$1 million liability insurance policy and submit a certificate of insurance. The licensing would be broke down into four different categories; which would allow them to provide different levels of services. All licenses would be issued on an annual basis.

It was Mr. Lee's intent to have an interlocal agreement with Johnson County to perform the testing and issue license. He went over the various requirements currently implemented by Johnson County.

Councilmember Sifford questioned if the City's limited staff would be able to enforce licensing and felt the homeowner should take due diligence to protect themselves. He thought some homeowners might want to have friends and family help with a project and according to the proposed agreement; they would need to have a licensed contractor perform the work. Mayor Garcia felt this would help to control people from coming in and performing "shoddy" work.

Mr. Slaugh reported this was a mechanism to assure there was quality work performed.

Developer, Jeff Scherer, reported the "little guy" would loose out and explained the inconvenience it would cause the contractors that he used and noted it would also cost him and other property owners more money to use licensed contractors. He felt the City would loose control when they have Johnson County issuing licenses.

Mr. Scherer commented having a license does not mean the contractor knows everything; it just meant he passed the test. Mayor Garcia disagreed explaining the contractor had to have vast knowledge of the trade in order to pass the test.

Councilmember Washington asked how Leavenworth City licenses compare. Mr. Lee reported they used 1997 Code. Councilmember Washington felt Mr. Lee should review Leavenworth's process to see if it would be a better fit for Basehor. Mr. Scherer reported he did not need a license to be a builder in most cities; however, if you were an electrician, plumber, or HVAC contractor other cities may require licensing.

Mayor Garcia felt a licensed contractor should be held at a higher threshold.

Councilmember Hill felt a license gave the connotation of professionalism in any trade.

3. Discuss capital improvement program and possibility of partnership with UG on K-7/Donahoo Road project.

Mr. Slaugh reported he was approached by Unified Government (UG) to possibly work with them regarding a capital improvement program at K-7/Donahoo Road. The City would be working with UG on a limited basis by providing funding (\$18,720) for a 2-inch overlay. In 2007, KDOT offered funding for turn lanes in this area and may still be

willing to provide a similar funding. He stated another option was to delay construction of a deceleration lane at Leavenworth Road, in lieu of constructing one at Donahoo.

Councilmember Hill stated he could personally verify it was a safety issue exiting onto K-7 and Donahoo and felt a deceleration lane would be a definite advantage.

Mayor Garcia stated it was his understanding from the K-7 Corridor Plan that this area was to be a clover leaf. Mr. Slaugh explained as development occurred; the area would change. Mayor Garcia asked what the boundary line would be. Jim Pickett, KDOT, said he thought it was the centerline.

Mr. Slaugh said over the next few months, the council would need to consider what funding would be available and if the proposed project was in Basehor's best interest.

Mr. Slaugh reported he informed UG representatives that this project would be a low priority and may not even make it to the five year plan.

2. 147th Street and State Avenue access issues.

Mr. Slaugh reported there were two main aspects still pending. Pay for acceleration and deceleration lanes at 150th and change in the full access status at 147th Street. Council needed to determine if 147th Street access be closed once 150th Street project was completed. He reminded Council they endorsed the 24/40 Corridor Plan; which would leave the highway as a high speed corridor by having signals no less than one-mile apart. There was still a question where acceleration and deceleration lanes should be placed and whether the Corridor Plan language should be amended.

Councilmember Hill stated he thought the Council left it at the last meeting where KDOT had the authority to close the 147th Street access if and when it became a safety issue. Mr. Slaugh said he would like to have discussion regarding the pros and cons of closing the 147th Street access.

Mr. Pickett reported a permit exists for acceleration and deceleration lanes at 147th Street and felt Mr. Miles was in the "driver's seat" of when a frontage road would be constructed.

Mr. Pickett reported KDOT has approved Mr. Miles application for acceleration and deceleration lanes at 147th Street and 24/40 Hwy. He thought council might want to consider placing wording in the agreement regarding what events would warrant 150th Street intersection to become fully signalized.

Mr. Slaugh reported council would have to decide if they wanted 147th Street to be a full-access road or a fully-signalized intersection. Councilmember Hill recommended changing the language in the Corridor Plan to leave the door open to allow a decision to be made at a later date as to what would benefit both the north and south side of the industrial area.

Councilmember Hill asked if it was necessary to change language in the corridor plan since KDOT had the ultimate authority to close the access.

Mr. Pickett reported there was a lot of time and money that went into the Corridor Study and spacing was one of the most important issues addressed. Mr. Pickett felt right-in/right-out lanes would serve 147th Street best. Mr. Slaugh reminded council that 147th Street was removed from the corridor plan. Mr. Smith explained it was removed because it was a non-conforming intersection. Mr. Pickett noted he was confused as to what Mr. Miles was requesting at this time.

Mayor Garcia said he felt Mr. Miles wanted to make sure everything was in place and what to expect for the future of his development and how to market the land.

Mr. Slaugh read from Mr. Miles correspondence that asked that 147th Street be returned to full access as it had originally been stipulated in the plan. Councilmember Washington felt if the City constructed acceleration and deceleration lanes; that would satisfy Mr. Miles.

Councilmember Hill suggested language be inserted to the effect of "147th Street would remain right-in/right-out until dynamics of the intersection changed and deemed a safety hazard by KDOT."

Mr. Scherer clarified that KDOT already approved acceleration and deceleration lanes at 147th Street, closed two existing access points, and agreed that 150th Street should be considered a full-access intersection.

Council felt they had discussed the topic and directed the city administrator to place the item on the February agenda for a formal vote.

Adjourned at 8:10 p.m.

Submitted for Council approval with/without corrections or additions this 22nd day of January, 2009.

Mayor Chris Garcia

Attest:

Mary A. Mogle, CMC, City Clerk

