

## MINUTES

### BASEHOR CITY COUNCIL

February 22, 2000

7:00 P.M.

Basehor City Hall

**Official Presiding: Mayor John Pfannenstiel**

**Members Present: Pres. Robert Vervaecke, Joseph Odle, Burl Gratny, Victor Ziegler and Chris Garcia**

**Staff Present: Mary Mogle, Clerk Gene Myracle, City Supt. Pernell Dye, City Treas. Pat Cox, Eng. Vince Weston, Chief Mike Kelley, Atty Pro-tem**

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The monthly meeting of the Basehor City Council was called to order by Mayor Pfannenstiel with all council members present. Pledge of Allegiance was recited.

#### ***APPROVAL OF MINUTES***

A Motion was made by B. Gratny and seconded by V. Ziegler to approve the minutes of January 18<sup>th</sup> meeting and work session and the January 31<sup>st</sup> work session as written. All aye. Motion carried 5-0.

#### ***APPROVAL OF TREASURER'S REPORTS***

*Approval of Expenses* – C. Garcia moved to approve accounts payable, cash receipts, and bills to be paid reports as submitted. V. Ziegler seconded the motion. All aye. Motion carried 5-0.

*Investments* – R. Vervaecke moved to accept the treasurer's recommendations as presented to reinvest C.O.D #1411 (\$50,000) and C.O.D. #20332 (\$100,000) for a period of six months at the highest rate available at time of renewal and reinvest MIP #103-5 in the amount of \$81,674.52 at the highest rate available for one year. J. Odle seconded the motion. All aye. Motion carried 5-0.

#### ***CITIZENS AND PETITIONS***

*Proposed Transfer of Cable Franchise Agreement* – Galaxy Cable representative, John Linquist, Dan and Dolph Simons, Sunflower Cable, were present to answer any questions regarding the transfer of ownership from Galaxy Cable to Sunflower Cable (Worldnet).

*Proposed Franchise Agreement by Suburban Water Inc.* – Joseph Perry, legal counsel for Suburban Water Inc., requested approval for a 20 year franchise agreement with the City of Basehor

Councilman Odle requested Suburban Water Inc. provide the city with a copy of the court action regarding the matter of Consolidated Rural Water District #1 vs Suburban Water Inc. Mr. Perry agreed to provide that information.

Following a discussion, J. Odle moved to table action until the March meeting for further study. ~~C. Garcia seconded the motion. All aye. Motion carried 5-0. (amended 3/20/00 to read "B. Vervaecke seconded the motion. Odle, Vervaecke, Gratny-Aye. Garcia, Ziegler-Nay. Motion Carried 3-2).~~

*Citizen Comments Regarding Agenda Items* – Mayor Pfannenstiel opened the floor to anyone present who wished to comment on agenda items. No one came forward, therefore, the public portion of the meeting was closed.

Mayor Pfannenstiel acknowledged the new reporter for the Basehor Sentinel, Josh Roberts.

### ***ACTION ITEMS***

*Approval of Purchase of Copying Machine* – City clerk, Mary Mogle, presented three bids for digital copiers and requested authorization to dispose of existing copier Royal 2222 (original bids attached to approved minutes). The cost of the copier will be paid from the Equipment Reserve Fund and the maintenance agreement will be paid from the general fund.

A motion was made by R. Vervaecke and seconded by J. Odle to purchase a copier from Ladicom Inc. for \$9,190.00, dispose of the old unit and obtain maintenance agreement as presented. All aye. Motion carried 5-0.

*Approval of Purchase of Laptop Computer* – The city clerk requested the purchase of a network compatible laptop computer to be used by all departments. The cost is approximately \$2,299.00 and will be paid through the General Administrative Capital Outlay Fund. A 3 yr. maintenance agreement is \$219.99 and will be paid from the General Administrative Fund.

R. Vervaecke moved to approve the purchase of a laptop computer and maintenance agreement as presented. C. Garcia seconded the motion. All aye. Motion carried 5-0.

*Approval of Annexation Ordinance (Baker Property, 158<sup>th</sup> St. between Hickory and Willow Dr.)* – A voluntary annexation petition was submitted by John and Beverly Baker.

The tract of land is located west of 158<sup>th</sup> Street, in the Northeast quarter of Section 34, Township 10S, Range 22E. The property was annexed in November 1999, but due to an error in the legal description, the code administrator requested the annexation be processed again.

It was moved and seconded by V. Ziegler and C. Garcia to approve the request for annexation and adopt the ordinance as submitted. All aye. Motion carried 5-0.

*ORD. #354 – AN ORDINANCE ANNEXING LAND TO THE CITY OF BASEHOR,  
KANSAS.*

*Approval of Annexation Ordinance (Hayes Properties, west of 158<sup>th</sup> St.)* – A petition for voluntary annexation was submitted by Hazel Hayes. The tract of land is located west of 158<sup>th</sup> Street, in the Northeast Quarter of Section 34, Township 10S, Range 22E. Based on a error in the legal description, in November 1999, it was necessary to resubmit the annexation for approval.

V. Ziegler moved to approve the annexation request by Hazel Hayes as submitted. C. Garcia seconded the motion. All aye. Motion carried 5-0.

*ORD. 355 – AN ORDINANCE ANNEXING LAND TO THE CITY OF BASEHOR,  
KANSAS.*

*Approval for Street Lights on Ripley Street* – City superintendent, Gene Myracle, submitted a request for the installation and fund allocation for the placement of two street lights on Ripley Street, west of 156<sup>th</sup> Street. The lights have been installed at 15724 Ripley and 15822 Ripley. The cost will be 6.33 (plus taxes) per light.

B. Gratny moved to approve the installation and fund allocation for two street lights on Ripley Street as requested. V. Ziegler seconded the motion. All aye. Motion carried 5-0.

*Approval of Engineering Cost Studies for Infrastructure Improvements* – Mayor Pfannenstiel submitted a request to have preliminary cost estimates conducted on future infrastructure projects (list attached to original minutes) and approve the expenses necessary to provide preliminary cost estimates. He noted the city engineer gave an estimate of \$1,500.00 to perform the report.

R. Vervaecke moved to authorize the engineers to provide an infrastructure preliminary cost estimate report for the projects submitted not to exceed \$1,500.00. V. Ziegler seconded the motion. Vervaecke, Garcia, Gratny, Ziegler –Aye. Odle – Nay. Motion carried 4-1.

*Approval of Purchase of Picnic Tables at City Park* – Council approval was requested for the purchase of six new picnic tables and materials for concrete pads using funds donated by Basehor Park Association. City staff will build the concrete pads that the tables will sit on. The estimated cost is \$3500-\$4000.

A motion was made by J. Odle and seconded by V. Ziegler to approve the purchase of six new picnic tables and materials from donations from Basehor Park Association. All aye. Motion carried 5-0.

*Approval of Ordinance Amending Article 12, Section 12-110 Public Property* – Mayor Pfannenstiel noted requests have been received from residents requesting permission to have alcohol at parties being held at the city park.

V. Ziegler moved to amend the proposed ordinance to read “ consumption of cereal malt beverages only”. The motion died for lack of second.

*Approval of Sales Tax Resolution* – Mayor Pfannenstiel presented a resolution proposed by the League of Kansas Municipalities regarding sales tax.

J. Odle moved to pass the resolution authorizing state and local government to control sales tax on internet sales. B. Gratny seconded the motion. Odle, Gratny, Ziegler, Garcia – Aye. Vervaecke – Nay. Motion carried 4-1.

RES. 2000-01. A RESOLUTION RECOMMENDING THAT CONGRESS PASS  
LEGISLATION AUTHORIZING STATE AND LOCAL  
GOVERNMENTS TO ESTABLISH AND COLLECT LEGALLY  
DUE SALES AND USE TAXES ON GOODS AND SERVICES SOLD

### ***EXECUTIVE SESSION***

Mayor Pfannenstiel requested an executive session to discuss attorney-client matters and non-elected personnel for up to twenty minutes.

C. Garcia moved to convene into a twenty-minute executive session to discuss attorney-client matters and non-elected personnel. R. Vervaecke seconded the motion. All aye. Motion carried 5-0. (8:05 p.m)

At 8:25, the governing body reconvened in to the regular session.

### ***ACTION ITEMS***

*Approval of Franchise Agreement with Suburban Water Inc.* - Tabled until the March meeting for further study.

*Approval of Ordinance to Transfer Cable Franchise Agreement* – In the packet is an ordinance to make the transfer; however, the ordinance title makes reference to Ordinance #165 as the original ordinance, dated April 14, 1983. Ordinance #165 and date are not correct and should read Ordinance #284 dated December 19, 1995. With that change, the Mayor requested approval of the ordinance and authorization to sign the agreement.

J. Odle moved to adopt the ordinance transferring the existing cable franchise from Galaxy Cablevision to Worldnet Inc. (Sunflower Cablevision) with the changes noted, and grant authorization to the Mayor to sign the agreement as presented.

ORD. 356 – AN ORDINANCE PROVIDING FOR AND APPROVING THE TRANSFER OF THE CABLE TELEVISION FRANCHISE IN THE CITY OF BASEHOR, (THE “CITY”) GRANTED PURSUANT TO ORDINANCE #284, DATED DECEMBER 19, 1995, (THE “FRANCHISE ORDINANCE”); AMENDING THE FRANCHISE ORDINANCE IN CERTAIN RESPECTS; PROVIDING FOR PUBLICATION OF THE CAPTION; AND PROVIDING THE EFFECTIVE DATE OF THE TRANSFER.

### ***STAFF REPORTS***

#### **City Engineer**

*Update on Sewer Facility* – Engineer Pat Cox reported the bid for the sewer plant construction will be opened on March 20<sup>th</sup>. Kansas Department of Health and Environment (KDHE) is in the process of finalizing their review of the design plans. Contracts are being completed with Miles Excavating for the construction of the interceptor line and pump station. Since the plant has been designed for a 50 year life span, the costs have increased considerably. Mr. Cox reported he is in the process of talking with KDHE about additional funds.

#### **Chief of Police**

*COPS MORE GRANT* – Chief Weston reported he has been in contact with the COPS FAST program regarding a grant for an additional police officer. They are not taking application at this time; however, they recommended he apply for the additional officer through the “Universal Hiring” program rather than the “COPS MORE” program.

#### **City Superintendent**

*Discussion of Flashing School Zone Lights Near High School* – Superintendent Gene Myracle submitted bids for flashing lights. He noted the lowest bid he received was for \$2,990.00 per light with city staff performing the installation. He requested idea’s from Council as to ways to fund the project.

*City Limit Signs* - President Vervaecke complimented Mr. Myracle on the new city limit signs and questioned if the 40 mph limit sign on Leavenworth Road was going to be moved east to the new city limit. Mayor Pfannenstiel reported the sign must be moved unless the Council wished to take formal action to increase that section of road to 40 mph. When it was annexed into the city back in November, 1999, it came in as a 30 mph speed limit.

### **Code Administrator**

*Status of City Hall Renovation Proposal* – Two bids have been received for proposed renovations to city hall. Mayor Pfannenstiel reported the costs estimates are higher than expected with them ranging from \$145,000 to \$167,000. Action was tabled for further study.

*Presentation of Proposed Future Development Plan* – The Planning Commission will hold a public hearing in March to consider the recommendation of the proposed Future Development Plan. In May, the city council will consider the plan for adoption.

*Status of Fire-Damaged House at 3609 N. 155<sup>th</sup> Street.* – It was reported the sale of the property is scheduled for March 2<sup>nd</sup> and demolition will start on March 6<sup>th</sup>.

### **MAYOR'S REPORT**

*Review of 1999 and 2000 Budgets* – Mayor Pfannenstiel reported due to some computer problems, the 1999 report is not ready and presented an outline and breakdown of expenses for the Year 2000 budget.

*Update on County Road Agreement* – The mayor reported the county considered the City's request to amend the existing road agreement. The county has declined the amendment but offered to provide snow and ice control, on designated streets, for a fee. Mayor Pfannenstiel reported that unless there were objects, he would arrange for the snow and ice removal since it was cheaper than the current contractor.

*Review of Municipal Policy Statement Manual Outline* – Mayor Pfannenstiel provided examples of what to consider when developing a Municipal Policy Manual outline. He asked that if the council members had any recommendations on subjects they wished to be covered in the manual that they contact him or the city clerk.

*Update on County Wide Sales Tax Sunset Issue* – No action has been taken by county commissioners to lift or extend the current Sunset Clause on the Justice Center sales tax issue.

*Review of County Sewer Study* – A wastewater management study, for the Wolfe Creek area, has been submitted for consideration, to the county commissioners. The study recommends connecting districts 3, 6 and 7 into the Basehor treatment plant.

*Presentation* – Mayor Pfannenstiel presented past mayor, Joseph Odle, with the chair he used when he was mayor. He noted Mr. Odle served the longest term as mayor in the history of Basehor to date.

### ***COUNCIL MEMBER REPORTS***

#### **Robert Vervaecke**

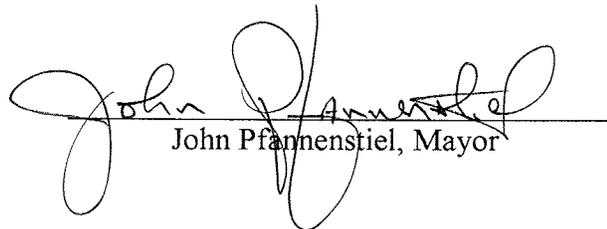
*Wastewater Connection and Maintenance Fees* – President Vervaecke requested a study be performed regarding wastewater connection and maintenance fees for both commercial and residential properties. It is his opinion these items need to be addressed prior to the construction of the treatment plant.

*Private Haulers Permits* – President Vervaecke questioned the issuance of private haulers permits for year 2000. Clerk Mogle reported the permits that have been sold to date are to residents that have businesses, and use the same dumpster, and property owners that work for Deffenbaugh and receive free refuse service as an employee benefit. The cost for a permit went from \$16 per year to \$25.

### ***ADJOURNMENT***

There being no further business to discuss, J. Odle moved to adjourn the meeting. R. Vervaecke seconded the motion. All aye. Motion carried 5-0. Meeting adjourned at 9:10 p.m.

Submitted for Council approval with/without corrections this 20<sup>th</sup> day of March, 2000.

  
John Pfannenstiel, Mayor

Attest:

  
Mary A. Mogle, CMC City Clerk

## Infrastructure Improvements

### Improve Leavenworth Road

From city limit to city limit\*  
or from 147<sup>th</sup> St. to 163<sup>rd</sup> St.  
or from 147<sup>th</sup> St. to west city limit

### Improve Parallel

From 7 Hwy. to 142<sup>nd</sup> St.  
From 142<sup>nd</sup> St. to 155<sup>th</sup> St.\*  
From 155<sup>th</sup> St. to 158<sup>th</sup> St.\*  
From 158<sup>th</sup> St. to 163<sup>rd</sup> St.  
From 163<sup>rd</sup> St. to 166<sup>th</sup> St.

### New Sewer Interceptor\*\*

South to 24-40 Hwy, between 155<sup>th</sup> and 158<sup>th</sup> St.

### New Frontage Road\*\*

From 155<sup>th</sup> St. to 158<sup>th</sup> St., north of 24-40 Hwy.

### Improve 150<sup>th</sup> St.

From 24-40 Hwy. to Chestnut  
From Chestnut to Parallel

### Improve 155<sup>th</sup> St.

From 24-40 to Parallel\*  
From Parallel to Leavenworth Road \*  
From Leavenworth Road to north city limit  
or north ½ mile or to Donahoo Road

### Improve 158<sup>th</sup> St.\*

From 24-40 Hwy to Parallel

\* Proposed priorities if city council elects to specify maximum amount for engineering fees.

\*\* Preliminary cost estimates have already been prepared. May need to be updated, or may be sufficient for purposes of discussion.