

## MINUTES

### BASEHOR CITY COUNCIL

April 19, 1999

7:00 PM

### Basehor City Council

**OFFICIAL PRESIDING: MAYOR JOHN PFANNENSTIEL**

**MEMBERS PRESENT: Pres. Robert Vervaecke, Joseph Odle, Charles Wilderson, Burl Gratny,**

**Victor Ziegler, and Chris Garcia (new member)**

**Staff Present: Mary Mogle, City Clerk  
Jane Scherer, City Treas.  
Gene Myracle, Public Works**

**Vincent Weston, Chief of Police  
Brian Kingsley, BG Consultants  
John Thompson, City Attorney**

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The monthly meeting of the Basehor City Council was called to order at 7:00 p.m. by Mayor John Pfannenstiel. Roll call was answered with all members present.

#### ***EXECUTIVE SESSION***

Mayor Pfannenstiel requested an executive session, for up to forty-five minutes, to discuss business trade secrets, attorney-client matters and personnel.

A motion was made by J. Odle and second by B. Gratny to recess into an executive session as requested. All aye. Motion carried 5-0.

Mayor Pfannenstiel requested Chris Garcia (newly elected council member), Jane Scherer (city treasurer) and Scottie Brezgiel (First State Bank) attend the executive session. Brian Kingsley was invited into the session at a later time.

After recessing for forty-five minutes, the meeting was called back to order. Mayor Pfannenstiel explained it was necessary to return back into executive session for a period of up to thirty minutes.

J. Odle moved to return back into executive session for up to thirty minutes. R. Vervaecke second the motion. All aye. Motion carried 5-0.

At 8:10 p.m., Mayor Pfannenstiel called the regular meeting back to order. Pledge of Allegiance was recited.

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

Mr. Gratny asked that corrections to the Minutes of March 15 be made as follows:

- Page 4, Paragraph 9 - Change from "side" to "sign".
- Page 5, Paragraph 9 - Change from "Mayor Odle" to "Councilmember Odle".

A motion was made by V. Ziegler to approve the Minutes of March 15 with corrections on page 4 and 5 as previously stated and approve the telephone poll of April 22, 1999 as printed. B. Gratny second the motion. All aye. Motion carried 5-0.

### ***APPROVAL OF TREASURER'S REPORT***

*Treasurer's Report & Supplement* - A motion was made by R. Vervaecke and second by C. Wilderson to approve the March 1999 Treasurer's Report and Supplement. All aye. Motion carried 5-0.

*1998 Audit Report* - Tom Singleton, auditor for Schehrer Bennett & Lowenthal, gave a report on the 1998 Audit. A report was given that no internal weaknesses or material non-compliance violations were found during the audit process. Mr. Singleton encouraged the City to detail their expenditures.

*Audit & Budget Service Contracts* - Mr. Singleton presented proposed contracts for audit and budget services. The audit contract will be for a period of three years, whereas, the budget contract is for the year 2000 only. Mr. Singleton noted the reason for bidding a three year term on the audit was for the purpose of developing continuity with staff and provides assurance of fixed rates.

Mayor Pfannenstiel reported that all contract labor and contracts will be voted on at the May meeting.

*Void Check #3957*- City treasurer, Jane Scherer, requested Check #3957, in the amount of \$19.51, issued to Leavenworth Lube on March 31, 1997 be voided since it has not been cashed after two years. Leavenworth Lube (Ck #3957 - \$19.51 3/31/97)

R. Vervaecke moved to authorize the city treasurer to void check #3957 in the amount of \$19.51 in accordance with state regulations. C. Wilderson second the motion. All aye. Motion carried 5-0.

### ***INSTALLATION OF COUNCIL MEMBERS***

Mayor Pfannenstiel thanked, out-going member, Charles Wilderson for all his hard work and time he devoted as a city council member. Mr. Wilderson gave a brief farewell speech.

Mr. Chris Garcia will fill Mr. Wilderson's seat as the newly elected council member. Mayor Pfannenstiel informed those present that Mr. Garcia received Oath of Office at a reception that was held on April 18th. At this time, Mr. Garcia came forward and assumed the position as council member.

Councilman Joseph Odle received Oath of Office from city attorney, John Thompson.

Mayor Pfannenstiel requested a brief intermission to have refreshments and give everyone a chance to welcome Mr. Garcia and say farewell to Mr. Wilderson.

R. Vervaecke moved to recess into a 5 minute intermission. V. Ziegler second the motion. All aye. Motion carried 5-0.

### ***ELECTION OF COUNCIL PRESIDENT***

Mayor Pfannenstiel called the meeting back to order and asked for nominations for council president.

J. Odle moved to nominate Robert Vervaecke for the position of president. B. Gratny second the motion. All aye. Motion carried 5-0 with Mr. Vervaecke being elected to a second term as president.

### ***TREASURER'S REPORT***

*Investments* - City treasurer, Jane Scherer, requested an amendment to her investment recommendation report as previously submitted. She requested council approval to invest \$79,847.05 from the MIP Fund from six months to a one year term which will earn 1/4 of a percent more. She also requested reinvesting CD #14111 in the amount of \$50,000.00 for a period of six months.

R. Vervaecke moved to reinvest CD #14111 with First State Bank in the amount of \$50,000.00 for a period of six months, and invest \$79,847.05 for a period of one year with the Municipal Investment Pool. B. Gratny second the motion. All aye. Motion carried 5-0.

*Investment Agreement* - It was moved and seconded by R. Vervaecke and V. Ziegler to table this matter for further study. All aye. Motion carried 5-0.

*Audit Contract* - Action is to be taken at the May meeting.

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

*PRIDE Donation* - Charles Wilderson, representative for Basehor Pride, requested a \$500 donation for fireworks display.

J. Odle moved to donate \$500 to Basehor Pride for the 1999 fireworks display. V. Ziegler second the motion. All aye. Motion carried 5-0.

*Twila Heinen* - Mrs. Heinen, 3303 N. 154th Terr., appeared before the city council regarding several issues:

- Pin Oak streets are in need of repair. Streets have been there for 13 years without much maintenance. Mrs. Heinen requested the city look into repairing streets properly.
- Builders are not keeping streets clean from loose soil and debris. She requested the builders be required to put up a barrier, of some sort, during construction.
- Feels a turn lane should be installed at 155th Street & 24-40 Highway to allow for those needing to turn into the shopping center area. Suggested the city talk to county about widening 155th Street and add turn lane.

Mr. Vervaecke noted 13 years on a street is a good street life. However, it is typical to come back with a chip-n-seal street and will last for 5-6 years, then go back with an asphalt cap.

Mayor reported, through a road survey, streets have been designated for repair. This year the plan is to make repairs to asphalt streets.

*Debbie Jordan* - Debbie Jordan (not present), 3717 N. 155th Street, requested a waiver to exceed the animal limit. Ms. Jordan requested housing three dogs instead of the required two dogs. Chief Weston reported the property owners are new to the area and were not aware of the restrictions. A report was also included in the council packets showing where one of the dogs bit a child. Adjoining property owners were contacted, by the animal control officer, with only two property owners being opposed.

*Sharon Wall* - Sharon Wall (not present), 2941 N. 155th Street, requested a waiver to exceed the animal limit. Ms. Wall requested housing four dogs instead of the required two dogs. Adjoining property owners were contacted, by the animal control officer, with no one being opposed.

Action was postponed on both matters for further study.

*Agenda Comments* - Mayor Pfannenstiel opened the floor to any one present who wished to comment on any agenda item. No one came forward to speak. The public portion of the meeting was then closed.

**STAFF AND COMMITTEE REPORTS**

**City Clerk**

*Public Hearing for Delinquent Utility Accounts* - City clerk, Mary Mogle, requested a public hearing be held on May 17, 1999 at 7:00 p.m. to hear comments from property owners with delinquent sewer and solid waste accounts being considered for collection. Ms. Mogle noted those property owners and renters will be notified by certified mail with return receipt in accordance with state law.

A motion was made by J. Odle and second by B. Gratny to hold a public hearing on May 17, 1999 at 7:00 p.m. for delinquent sewer and solid waste accounts. All aye. Motion carried 5-0.

**Chief of Police**

*Update on 1999 4x4 Police Vehicle* - Chief Weston reported delivery of the new vehicle is expected to be the first week of May. All equipment has been received.

**City Superintendent**

Maintenance Truck Bid - City superintendent, Gene Myracle, presented bids for a new 1999 F350 4x4 maintenance truck. The bid includes a snow plow, a heavy tow package and 9 ft. bed with hoist.

	Rusty Eck Ford		Bonner Springs Ford
Truck	\$25,463.00	Truck	\$24,916.00
9 Ft. Bed	<u>4,666.00</u>	9 Ft. Bed	<u>4,666.00</u>
	\$30,129.00		\$29,582.00

Mr. Myracle noted that even though there is a difference of \$549.00 between the bids, he does not feel that is significant enough to award the bid to Bonner Springs Ford. His recommendation is to award the bid to Rusty Eck Ford based on their service performance and the fact that the City has other vehicles on order with them.

R. Vervaecke moved to award the bid to Rusty Eck Ford in the amount of \$30,129.00 for 1999 F350 4x4 truck with a Scherer 9 ft. bed and hoist. V. Ziegler second the motion. All aye. Motion carried 5-0.

### **City Engineer**

*Sewer Treatment Plant & Collection System Update* - Engineer, Brian Kingsley, reported meetings are being held with Carrousel equipment and pump stations. The collection system rehabilitation project is about 75% completed and should be finalized in approximately 30 days. Manholes will be lined by subcontractor in the next two weeks, weather permitting. Pay requests are up to date and payments are being received in a timely manner.

### **City Attorney**

*Annexation Ordinance* - An ordinance was submitted for Council approval to annex the property located in Section 34, Township 10, Range 22E, currently owned by the city, which will house the new sewer facility.

A motion was made by J. Odle and second by R. Vervaecke to adopt the ordinance annexing the property described by legal description. All aye. Motion carried 5-0.

### **ORD. 341 - AN ORDINANCE ANNEXING LAND TO THE CITY OF BASEHOR, KANSAS.**

*Annexation of Other Properties* - City attorney, John Thompson, reported the city must meet requirements listed in K.S.A. 12-520 to unilaterally annex. The City must develop a service plan, which has been prepared by Mayor Pfannenstiel, and then hold a public hearing. Following the public hearing, the city can move forward with annexation procedures. The proposed date for public hearing is June 21, 1999.

Mayor Pfannenstiel reported that maps, incorporated by reference, show that all tracts of land are 21 acres or less and are adjacent to the city limit. Six areas are described in detail throughout the report. Cost comparison charts have been provided. By passing the resolution presented, the City will be stating that they are considering these tracts of land for annexation.

Councilmember Garcia reported he owns a piece of property that is being considered for annexation. The city attorney advised Mr. Garcia to abstain on the vote due to possible conflict of interest. Mr. Vervaecke reported the property being considered for annexation, belonging to Gary and Arlie Wells is now included in Wellington Place Homeowners Association, of which he is a member. Mr. Vervaecke questioned whether he should abstain from the vote. Mr. Thompson advised Mr. Vervaecke to abstain also.

V. Ziegler moved to adopt the resolution as printed. There was no second. Motion died for lack of second.

*Addendum to Easement Agreements* - The easement submitted for approval, provides a landowner access to sewer line. However, the landowner will still be responsible for costs to install their private service line. This agreement will be provided to those property owners involved in the interceptor line easement acquisition.

A motion was made by B. Gratny and second by V. Ziegler to adopt the easement agreement as presented. All aye. Motion carried 5-0.

### **Planning Commission**

( The planning commission has nothing to report at this time.

### **MAYOR'S REPORT**

*Codification of City Ordinances* - The draft of codified ordinances are ready to be submitted to the League of Kansas Municipalities for the necessary revisions. Council was given a copy of the changes being recommended and will act on them at the next meeting.

*Governing Body Retreat* - Mayor Pfannenstiel requested approval to hold a retreat on May 1, 1999 at Ashley's in Lansing, Kansas. The retreat will be from 8:00 am - 4:00 p.m. with meals provided. The cost of the room is \$25.00 plus meals.

R. Vervaecke moved to hold a retreat on May 1, 1999 as requested. B. Gratny second the motion. All aye. Motion carried 5-0.

*Appointment of City Superintendent* - A motion was made by R. Vervaecke and second by J. Odle to appoint Gene Myracle to the position of city superintendent. All aye. Motion carried 5-0.

*Leavenworth Area Development Representative* - Chris Garcia was appointed to represent the City of Basehor at the Leavenworth Area Development meetings.

### **COUNCIL MEMBER REPORTS**

#### **Robert Vervaecke**

*Computer Upgrade* - President, Robert Vervaecke, reported the League of Kansas Municipalities has a program available for cities needing to comply with Y2K computer upgrades. The systems are sold to the cities at discounted costs. A bid should be ready for Council approval at the May meeting.

**Chris Garcia**

Mr. Garcia welcomed members of the Southern Leavenworth County Leadership class.

**Victor Ziegler**

Mr. Ziegler questioned the status of acquiring matching funds to chip and seal 142nd Street. Mayor Pfannenstiel noted that Kansas City, Kansas has not gotten back with him regarding the funds.

***ADJOURNMENT***

There being no further business to discuss, B. Gratny moved to adjourn the meeting. V. Ziegler second the motion. All aye. Motion carried 5-0.

Submitted for Council approval ~~with~~ without corrections this 17th day of May, 1999.

  
John Pfannenstiel, Mayor

  
Mary A. Mogle, CMC

# **SUPPLEMENT TO TREASURER'S REPORT**

**April 19, 1999**

<b>Epic Life (health/life insurance premium for May 1999)</b>	<b>1,899.22</b>
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<b>Casey's General Store (gasoline &amp; misc. for March 1999)</b>	<b>472.66</b>
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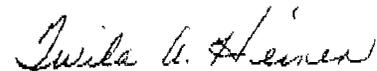
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**2,371.88**

April 12, 1999

Basehor Mayor & City Council Secretary:

I would like to be placed on the Mon. April 19, 1999 agenda concerning street repairs, etc. for your monthly meeting at 7:00pm. If you have any questions, please contact me at 724-1408(H) or 596-2454(W).



Twila A. Heinen  
3303 N. 154th Terrace  
Basehor, Kansas 66007