

MINUTES

BASEHOR CITY COUNCIL

April 20, 1998

7:00 P.M.

Basehor City Hall

OFFICIAL PRESIDING: MAYOR JOHN PFANNENSTIEL

MEMBERS PRESENT: Robert Vervaecke, Joseph Odle, Victor Ziegler, Burl Gratny  
and Charles Wilderson

Staff Present: Mary Mogle, City Clerk      Bill Mogle, Supt.      Vince Weston, COP  
Pat Cox & Chad Thompson, BG Consultants

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Mayor Pfannenstiel opened the monthly meeting at 7:20 p.m. with all members present.

***EXECUTIVE SESSION***

A request was made by Mayor Pfannenstiel to convene into a forty-five minute executive session to discuss personnel and attorney-client privilege.

R. Vervaecke moved to go into an executive session until 8:00 p.m. to discuss personnel and attorney-client privilege. J. Odle second the motion. Motion Carried 5-0.

At 7:45 p.m., Mayor Pfannenstiel reconvened into the regular meeting.

***APPROVAL OF MINUTES***

A motion was made by J. Odle and V. Ziegler to approve the minutes as written for March 16, 1998 Public Meeting, March 16, 1998 Monthly Council Meeting, March 23, 1998 Public Hearing, March 23, 1998 Poll, March 31, 1998 Worksession and April 13, 1998 Public Hearing. All Aye. Motion Carried 5-0.

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

*Treasurer's Report & Supplement* - It was moved and seconded by R. Vervaecke and B. Gratny to approve the March 1998 Treasurer Report and Supplement as submitted (suppl. attached to original minutes). All Aye. Motion Carried 5-0.

SCANNED

2-23-07 *et*

*Investments* - Treasurer's recommendations were as follows:

Item #1:

Check #3333 issued on March 31, 1996 to John Duncan in the amount of \$15.00 be voided.

Item #2:

\$100,000.00, 6 Month MIP due 4/20/98. Accrued \$2,767.15 in interest for a total of \$102,767.15.

Treasurer recommends the following be invested as follows:

180 Day Long Term	77,757.15
Daily MIP Account	<u>25,000.00</u>
Total Investment	104,757.15

Item #3:

Treasurer recommended reinvesting CD #12852 for \$50,000.00 for a period of six months at the highest yield rate.

A motion was made by R. Vervaecke and second by C. Wilderson to approve all the Treasurer's three recommendations as requested. All Aye. Motion Carried 5-0.

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

*Agenda Items* - Mayor Pfannenstiel asked if there was anyone present who wish to comment on any agenda item. There were no comments. The public portion was then closed.

### ***STAFF AND COMMITTEES***

#### ***ENGINEER***

*Sewer Rates & Connection Fees* - Engineer, Pat Cox, reported through research he has discovered that all cities are different in how they assess sewer rates and connection fees. However, all cities have one factor in common, they all deposit a portion of their fees into an escrow account for sewer infrastructure.

Mr. Cox recommends using methods such as "consumer price index" or "engineering indicator record of cost of construction" to estimate annual rates. Several examples from other cities were given, by the engineer, with connection fees ranging from \$10.00 to \$3,000.00.

Mayor Pfannenstiel requested a decision be made at this meeting regarding the method to be used in assessing sewage rate and connection fees to "outside residents". Once this

decision is made, the county commissioners will be notified in writing, so they can commence preparing their reports.

Following discussion, R. Vervaecke moved to charge "outside residents" a rate of 125% of the current monthly service rate and connection fee for residential customers only. This rate does not include industrial, schools or commercial properties. J. Odle second the motion. All Aye. Motion Carried 5-0.

Mayor Pfannenstiel was authorized to send a letter to the county commissioners regarding the method of assessment.

#### *CITY CLERK*

*Sewer and Solid Waste Delinquent Accounts* - A motion was made by J. Odle and second by B. Gratny to authorize the clerk's office to notify residents of the that their delinquent sewer and/or solid waste accounts may be placed on the county ad valorem tax roll. All Aye. Motion Carried.

*Telephone System* - Clerk Mogle reported the current telephone system is not adequate to handle additional phones. Currently, the city needs four additional lines. The proposed system will handle up to 24 telephones and nine mailboxes. The approximate cost will be \$3,169.52. Mayor Pfannenstiel noted the funds will come out of the Equipment Reserve Fund.

It was moved and seconded by V. Ziegler and B. Gratny to purchase the telephone system per the bid received from Southwestern Bell Telephone and use Equipment Reserve Funds. All Aye. Motion Carried 5-0.

*Offsite Record Storage* - A request was made by the city clerk to enter into a contract with Underground Vaults & Storage, Inc. to store past records in the saltmines in Kansas City, MO. The initial cost will be approximately \$350.00 plus \$1.80 per cubic foot of storage area per year. This method will be cheaper and safer than renting a local storage unit.

R. Vervaecke moved to enter into a contract for offsite storage as presented. C. Wilderson second the motion. All Aye. Motion Carried 5-0.

*Codification of Ordinances* - Clerk Mogle requested \$1,300.00 be allocated from the general government capital outlay fund to update and codify all city ordinances. The ordinances have not been codified since 1989.

It was moved and seconded by J. Odle and R. Vervaecke to contract with the League of Kansas Municipalities to update and codify all city ordinances and not to exceed \$1,300.00. All Aye. Motion Carried 5-0.

*CITY SUPERINTENDENT*

*Sidewalk Project* - City superintendent, Bill Mogle, announced the inmate work detail crew repaired sidewalks from the elementary school on Leavenworth Road, east to 155th Street and south to Ripley Street. The approximate cost to the City was approximately \$3,200.00. By using the inmate work detail, this saved the City residents several thousand dollars. The earliest the crew will return to Basehor will be last August, early September. Mr. Mogle noted he hopes to perform some of the repairs with in-house staff.

*Dog Kennel Project* - Mr. Mogle noted Tuttle Vet Clinic has not received bids from their contractor to construct their dog runs, as well as, the four runs requested by the City. Therefore, he reserved the right to have Council polled when a bid is received. Council agreed.

*Maintenance Job Vacancy* - The city superintendent announced he has a vacancy in the maintenance department and hopes to fill the position next week.

*CITY ATTORNEY*

*Sewer Rate Ordinance* - City attorney, John Thompson, announced the purpose of the ordinance is to change Resolution 98-1, establishing monthly sewer service rates, into an ordinance form. An ordinance is more binding than a resolution.

*Pet License Fees* - An ordinance authorizing the City to increase the pet license fee from \$3.00 to \$5.00.

*Solid Waste Rates* - The city attorney reported the current ordinance allows senior citizens to receive a reduction in solid waste pickup and others to purchase a private haulers permit and haul their own trash off. Mr. Thompson submitted a draft for Council review. He noted he felt this ordinance should include a penalty clause. Council members also felt a clause should be added giving residents the option to haul their trash to the county transfer station in addition to using the city service.

*Annexation Petition* - This ordinance allows the City of Basehor to correct a previous annexation that was written in error, reported Mr. Thompson. The buyer agrees not to file a claim for back taxes, if the City would agree to waive up to a \$1,200.00 building permit fee for the same piece of property.

*PLANNING COMMISSION*

*Rezoning & Preliminary Plat of Joanna Subdivision* - In the absence of planning chairman, Joseph Scherer, Mayor Pfannenstiel delivered the report. The mayor noted a public hearing was held on April 2nd to address rezoning ground from R-0 to CP-3 by Anna Mary Landauer. Mayor

Pfannenstiel expressed concerns that the public hearing and preliminary plat were handled as one issue and not two separate issues. He also noted he did not feel the "5 Golden Rules" of planning were even discussed in the hearing by the planner or planning board members. Therefore, it is in his opinion the rezoning issued and preliminary plat should go back to the planning commission for further review and a new public hearing be held at the City's expense.

Ron Urton, Bird Engineering, asked that since the public hearing will be reheard, can the two lots to be rezoned from R-0 to R-1 be included in the hearing. Mayor advised the clerk to make the necessary arrangements for the public hearing notice. Mr. Urton noted the plat includes a buffer zone where required and also provides for a sewer lift station. The landowner is also requesting the subdivision be connected to Sewer District #12. Lots 3,4 and 5 will need grinder pumps. If this request is not possible, they can gravity flow to the lift station.

Mayor Pfannenstiel also expressed concerns that the plat does not indicate utility locations and future plans for the remaining land included in the tract. Mr. Urton agreed to incorporate the utilities and change turn-arounds prior to the next planning board meeting.

C. Wilderson moved to return the plat and rezoning petition to planning commission to conduct a proper hearing and review plat changes with the city paying all costs. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

#### *PARK ADVISORY BOARD*

*March for Parks* - Park Association will be hosting March for Parks on Friday, April 24th at 2:45 p.m.

#### *MAYOR'S REPORT*

*Sewer Ordinance* - A motion was made by J. Odle and second by V. Ziegler to adopt the ordinance establishing monthly sewer rate as presented. All Aye. Motion Carried 5-0.

ORD. 320 - AN ORDINANCE CODIFYING RESOLUTION 98-1 ESTABLISHING THE MONTHLY CHARGE FOR SEWER TREATMENT AND THE METHODS TO BE USED IN CALCULATING THOSE CHARGES FOR CUSTOMERS OF THE SANITARY SEWER SYSTEM IN BASEHOR, KANSAS WHICH AMENDS CHAPTER L5, UTILITIES, ARTICLE 2, SECTION L5-240, SEWER SERVICE CHARGES.

*Pet License Fees* - It was moved and seconded by V. Ziegler and C. Wilderson to adopt the ordinance increasing pet license fees from \$3.00 to \$5.00. All Aye. Motion Carried 5-0.

ORD. 321 - AN ORDINANCE AMENDING SUBPARAGRAPH (d) OF ARTICLE 2. DOGS AND CATS, CHAPTER II, ANIMAL CONTROL AND REGULATION, OF THE CODE OF THE CITY OF BASEHOR, KANSAS.

*Solid Waste Ordinance* - This matter will be tabled until the May meeting for further review.

*Annexation Ordinance* - B. Gratny moved to adopt the annexation petition and ordinance (petitioner-Robert Bryan) as presented. J. Odle second the motion. All Aye. Motion Carried 5-0.

ORD. 322 - AN ORDINANCE INCLUDING LAND AND INCORPORATING CERTAIN LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF BASEHOR, KANSAS.

*State Revolving Loan Ordinance* - A motion was made by R. Vervaecke to adopt the ordinance authorizing the City of Basehor to enter into a loan agreement with the State of Kansas to upgrade the sewer treatment and collection system. B. Gratny second the motion. All Aye. Motion Carried 5-0.

ORD. 323 - AN ORDINANCE AUTHORIZING THE CITY OF BASEHOR, KANSAS TO ENTER INTO A LOAN AGREEMENT WITH THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT, FOR THE PURPOSE OF OBTAINING A LOAN FROM THE STATE TO PAY A PORTION OF THE COSTS OF A WASTEWATER TREATMENT WORKS PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SUCH LOAN AGREEMENT; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT AND THE LOAN EVIDENCED THEREBY.

*Planning Commission Vacancy* - Mayor Pfannenstiel announced planning commission member, Joseph Scherer, has missed four consecutive meetings in a calendar year which is a violation of the planning commission's by-laws. The mayor noted he has tried to meet with Mr. Scherer several times over the last few weeks regarding this matter and other issues but Mr. Scherer was unavailable. At this time, Mayor Pfannenstiel, asked that he be allowed to declare a vacancy on the board. Councilmen Odle, Wilderson, and Vervaecke stated they hated to see Mr. Scherer replaced, however, the chairman position is a very important one and needs full attention.

J. Odle moved to authorize the mayor to remove Joseph Scherer from the planning commission and declare a vacancy. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

At this time, Mayor Pfannenstiel declared a vacancy and noted he will be soliciting for a new member.

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

#### ***Robert Vervaecke***

*Employee Handbook* - Councilman Vervaecke reported the employee handbook and job description manual is about ready. He anticipates having it ready for council review in a couple of weeks and hope to receive approval at the May 1998 meeting.

*Reading Bench* - Eagle scout, Jacob Mische, built a circular bench around the reading tree at the environmental lab and deserves recognition for a job well done.

#### ***Charles Wilderson***

*City-wide Cleanup* - PRIDE will be sponsoring a city-wide cleanup on April 25. Anyone wishing to participate should meet at the Methodist Church at 8:00 a.m.

*1998 4th of July Celebration* - Councilman Wilderson announced there is a possibility that the 4th of July Celebration will be held at the Tonganoxie Fairgrounds. Tonganoxie Chamber of Commerce has offered financial and manpower support if it becomes necessary to move the festivities to the fairgrounds.

*Fireworks Permits* - PRIDE would like permission to sell fireworks before the 1st of July and the 5th of July, however, the current ordinance does not allow this time frame. Councilman, Joseph Odle, who works for the State Fire Marshal's office, stated he would check the state regulations to see if fireworks could be sold early.

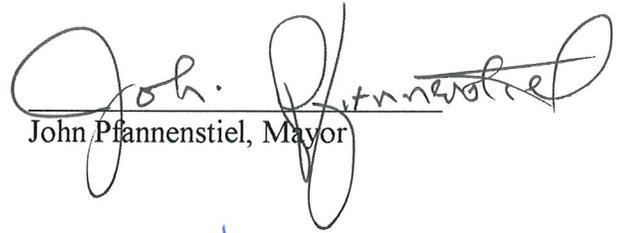
### **ADJOURNMENT**

There being no further business to discuss, B. Gratny moved to adjourn the meeting. V. Ziegler second the motion. All Aye. Meeting adjourned at 9:15 p.m.

Submitted for Council approval with/without corrections this 18th day of May, 1998.

Basehor City Council  
April 20, 1998

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A handwritten signature in black ink, appearing to read "John Pfannenstiel", written over a horizontal line.

John Pfannenstiel, Mayor

A handwritten signature in blue ink, appearing to read "Mary A. Mogle", written over a horizontal line.

Mary A. Mogle, City Clerk