

MINUTES

BASEHOR CITY COUNCIL
April 15, 1996
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: MAYOR BRYCE D. BETTIN

MEMBERS PRESENT: Charles Wilderson, Jerry Barlow, John Pfannenstiel and Robert Vervaecke
(J. Odle-absent)

Others Present: Jane Scherer, Treas.
Bill Mogle, WWTO

Vince Weston, COP
Mary Mogle, Clerk

Cecil Kingsley, PE
John Thompson, Atty.

APPROVAL OF MINUTES

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to approve the Minutes of March 18th and April 8, 1996 as written. All Aye. Motion Carried 4-0.

APPROVAL OF TREASURER'S REPORT

R. Vervaecke moved to approve the March 1996 Treasurer's Report as written. J. Pfannenstiel second the motion. All Aye. Motion Carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

It was moved by J. Barlow and seconded by R. Vervaecke to approve the April 1996 Municipal Court Report as submitted. All Aye. Motion Carried 4-0.

CITIZENS AND PETITIONS

GRINDER PUMPS - A ordinance was skipped over at this time and presented under the City Attorney's portion.

JEAN SCOTT AND SANDRA SMALL submitted letters complaining about bark dogs and dogs running-at-large in her neighborhood. The two women reside in the duplex at 3012 N. 155th Terrace.

Following a brief clarification of the current ordinances from the city clerk, she was then directed to provide the Board with a copy of the ordinance in their May meeting packet.

BASEHOR PARK ADVISORY BOARD

ENVIRONMENTAL LAB - President, Mary Ohler, presented a requested approval for the proposed Jaycees Environmental Lab as submitted excluding the Boy Scouts fire ring. The lab will be located on the back portion of the park around the pond area. It will include several types of flower beds, bird and squirrel feeders, a walk bridge over the pond, a reading tree and a walking trail. All improvements will be handicap accessible. The improvements will be paid for from a national grant and funds received from March for Parks. No city or school funds will be required.

Robert Vervaecke excused himself from the room due to a possible conflict of interest as President of Jaycees.

A motion was made by J. Pfannenstiel and second by C. Wilderson to approve the design as presented excluding the fire ring. All Aye. Motion Carried 3-0.

SCANNED

2-27-07

(Vervaecke came back into the room at this time.)

ELECTRICITY FOR GAZEBO - Chairman, Mary Ohler, requested permission to change the temporary electrical service at the park to permanent underground wiring to the gazebo as the expenses of the Park Association.

It was moved and seconded by C. Wilderson and J. Pfannenstiel to run permanent underground wiring for electricity to the gazebo at no cost to the city. All Aye. Motion Carried 4-0.

CALENDAR OF EVENTS - The Park Board requested a calendar for gazebo reservations be maintained at the city office.

J. Barlow moved that a calendar be established at city hall for reservations of the gazebo. J. Pfannenstiel second the motion. All Aye. Motion Carried 4-0.

VISITATION OF PARK - Councilman Wilderson announced he received a complaint from a citizen that routinely visits the park and found condoms at various locations. Wilderson urged the Park Board to install the fence and gate as soon as possible. Chief of Police Weston noted currently the police department is enforcing dawn to dusk hours.

BASEHOR PLANNING COMMISSION

SPECIAL USE PERMIT FOR GALAXY CABLE CO. - Glen Gilroy and Joe Scherer representing the Planning Board appeared before the Council with a request to approve a special use permit to Galaxy Cable for the transfer to their satellite dishes to a new location behind Breuer, Inc. building. The permit will include a 14x16 building within a 40x40 fenced area which will house the dishes. The current cable tower will be disassembled and the cable lines transferred to the cellular tower. The Board recommended approval with the following stipulations:

1. Any franchise tax due to the City of Basehor be paid.
2. All application building code and other ordinance requirements be met.
3. A landscape plan be submitted at the time of building permit application. Such plan shall show evergreen and/or other landscaping to be provided on all sides, except the north side, of the fenced area to act as a visual buffer. Once the landscape plan is approved by the City, healthy plants of an adequate size shall be planted and be maintained in a healthy condition.
4. The drive to this portion of the property be asphalted with consideration given to the timing for installation of proposed sewers, if sewers are not installed application shall be given fair time to asphalt the drive.
5. The Special Use Permit be granted to the owner of the property, Mr. Ray Breuer, for a period of three (3) years from the date of ordinance publication.

Board member, Joe Scherer, requested a time frame be given to Mr. Breuer to lay asphalt driveway. John Linquist, Galaxy Cable representative, noted the asphalt was a stipulation from a previous special use permit granted in 1994 to the cellular company.

A motion was made by R. Vervaecke to approve a three year Special Use Permit to Ray Breuer and Galaxy Cable for the relocation of the satellite dishes and that the asphalt driveway be installed by September 1, 1996. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

CITY ENGINEER

SEWER DISTRICT #12 - Engineer Kingsley reported the status of Sewer District #12 is the same and that the upgrade of the 6" line to the 8" line has been completed. He reported the check valve at lift station #3 froze during the winter and that a new one must be purchased.

Property owner, Burl Gratny, expressed the need for final work to be done on Sewer District #12 properties. The city clerk was directed to send letters to the affected property owners requesting written letters stating their complaints and what they felt still needing to be done to their properties.

Kingsley reported the shopping center was connected to the sewer main upgrade at the time of installation due to the land contour.

SEWER PLAN - Mayor Bettin requested Council allow him to address the sewer plan decision at this time so the engineer may leave. Council agreed.

Engineer Kingsley reminded Council they are faced with a May 1st deadline with Kansas Dept. of Health and Environment to make a decision on what sewer facility plan is best for the City of Basehor. He noted even if they choose a plan at this meeting, they still have two to three months to change their vote. Schedules, financing, designs and purchase of property will be on the next few months agendas. The Operations and Maintenance fund will include salaries and two part time employees.

The engineer noted if the City uses the State's revolving loan program-a vote will not be required. Sewer user fees and rates will be studied at a later date.

Councilman Wilderson requested the engineer study the possibility of installing a 12" sewer main east of 155th Street along 24-40 Hwy. Kingsley noted he has reservations of doing this because of different gravity flow areas.

A motion was made by J. Pfannenstiel and seconded by R. Vervaecke to submit an answer to KDHE to adopt Alternate Plan A (taking plant west in the Stranger Creek basin with the ability to extend sewers east of 155th St.) C. Wilderson abstained. Vervaecke, Pfannenstiel and Barlow-Aye. Motion Carried 3-0-1.

Mayor Bettin instructed the engineer to handle notifying KDHE of the Council's decision.

WASTEWATER OPERATOR

LIFT STATION REPAIRS - Operator, Bill Mogle, reported repairs need to be made to lift station #1 and #3. Lift Station #1 has wires fused together and lift station #3 needs a new check valve. Kingsley felt he could negotiate repairs with Western Industrial Mechanical for lift station #1 and possibly station #3.

A motion was made by C. Wilderson and seconded by R. Vervaecke to allocated up to \$400 for a new check valve at lift station #3. All Aye. Motion Carried 4-0.

ELECTRICAL BIDS - A bid was submitted by Central-Detroit Diesel for electrical work that needs to be performed in order to adapt the new generator to all three lift stations. The bid was approximately \$3,000.00. Mogle requested the acceptance of this bid since the company would handle both electrical and generator work.

Mogle was directed by the Council to obtain another bid. Clerk Mogle requested the right to poll the Council when the second bid came in since we are into our stormy year when the generator will be needed the most. Council unanimously agreed.

CITY CLERK

DELINQUENT PUBLIC HEARING - A motion was made by R. Vervaecke to hold a public hearing on May 20th at 7:15 PM to hear from delinquent sewer and solid waste accounts. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

1996 STREET REPAIR PROGRAM - A list of streets for patching and chip and sealing was submitted for Council approval in the amount of \$35, 258.00. Mogle reported a second list will be submitted at a later date.

J. Pfannenstiel moved to authorize the expenditure of \$35,258.00 for street repairs per the submitted bid by Leavenworth Department of Public Works. R. Vervaecke second the motion. All Aye. Motion Carried 4-0.

BUILDING PERMIT AND COURT FINE INCREASES - Clerk Mogle submitted a current building permit fee schedule in accordance with the 1995 Uniform Building Codes. Mogle requested Council consider NOT adopting this schedule since the fee increase is significant. The matter will be tabled until the May meeting.

Clerk Mogle reported she attended a court conference last week and was give an updated list on fines assessed by the State. She requested the matter be table so she can compare the State Statue verses the proposed fine schedule. Council unanimously agreed.

USE OF KSP PRISONERS FOR PARK CLEAN UP - Clerk Mogle reported she contacted Ed Sass, Leavenworth County Weed Control, who is in charge of the Kansas State Penitentiary prisoners. The prisoners would be able to help the Jaycee's clear the ditch and brush at the park. The services will be free of charge. The County does request a supervisor be present to let the guard know what is to be done. The Council was unanimously in favor and thanked the county for their services.

DESIGNATED PHYSICIANS CLINIC - Mogle reported in accordance with the new worker compensation program, KMIT, the City is required to designate a physician and/or clinic to handle all claims. Mogle requested Mid-American Physicians Clinic (Bonner Springs, Ks.) be designated. Council agreed.

CITY ATTORNEY

GRINDER PUMP ORDINANCE - City attorney, John Thompson, explained the ordinance that is in before the Board for approval is to eliminate grinder pumps on public sewers and approve them on a case-by-case basis in a private sewer system within the city limits of Basehor. The private pumps will be the sole responsibility of the property owner.

Councilman Pfannenstiel felt Section 4 of the ordinance was not necessary. Thompson noted it only clarifies the City's policy.

Area developer, Ray Harvey, questioned why the City wants to eliminate pumps. The attorney responded noted the City of Basehor currently does not have adequate staff and funds to maintain the systems.

A motion was made by J. Pfannenstiel and seconded by J. Barlow to adopt the ordinance as written. All Aye. Motion Carried 4-0.

SEWER DISTRICT #12 - It was reported by attorney Thompson that all the cost figures for Sewer District #12 are compiled and have been sent to the bond counsel. Thompson requested this matter be reserved for executive session.

MAYOR'S REPORT

PLANNING COMMISSION APPOINTMENT - The appointment of Shirley Franklin (to fill term of Peggy Cochran) was presented by Mayor Bettin for Council approval.

R. Vervaecke moved to accept the appointment of Shirley Franklin to the Basehor Planning Commission. J. Barlow second the motion. All Aye. Motion Carried 4-0.

COUNTY-WIDE SALES TAX RESOLUTION - A resolution was presented by Mayor Bettin requesting a one cent county-wide sales tax issue be placed on the August 1996 ballot. The county would receive one-half cent for the purpose of erecting a new jail facility while the Leavenworth County cities received the other half for the purpose of capital improvements. The proposed resolution was read aloud to the audience by Mayor Bettin.

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to adopt the Resolution as printed. All Aye. Motion Carried 4-0.

24-40 HIGHWAY - Mayor Bettin announced he has met with Senator Ramirez regarding the possibility of installing a left hand turn lane on the east bound lane of 24-40 Highway, between 155th Street and 158th Street. Senator Ramirez did not feel changes were possible since the project was already bid out. Mayor Bettin asked the Council's feelings on whether he should now pursue the matter on behalf of the City Council rather than the business owners.

Mayor Bettin requested the Council pass a resolution to that effect. Councilman Pfannenstiel noted that he was in favor of pursuing the matter but wanted to see a copy of the resolution before adopting. Mayor Bettin directed the City Clerk to draft a resolution for Council approval.

CHARLES WILDERSON

FIREWORKS DISPLAY - A request was made by Councilman Wilderson to have the city donate \$400.00 toward the 1996 Fireworks Display. He reported the balance needed was raised at last years celebration.

A motion was made by J. Barlow and seconded by R. Vervaecke to donate \$400.00 toward the fireworks display. All Aye. Motion Carried 4-0.

LEAVENWORTH AREA DEVELOPMENT - Wilderson noted it took over eight years for 24-40 Highway construction to be a reality which shows Leavenworth Area Development is instrumental in assisting the southern portion of Leavenworth County.

JERRY BARLOW

GALAXY CABLE - Councilman Barlow announced he was under the impression the City of Basehor was not going to receive a rate increase when they received the new channels. He requested all future dealings with Galaxy be in writing. He went on to say he felt the citizens of Basehor have been deceived and would like to see competition in the area since this is a non-exclusive franchise.

John Linqvist, Galaxy representative, noted the City will be receiving the weather channel instead of MTV as previously noted. Linqvist request Council permission to install a 14x20 building instead of a 14x16 building as previously discussed in the Special Use Permit approval. Council noted the building is not part of the permit and granted the change.

ROBERT VERVAECKE

CITY-WIDE CLEAN UP - A city-wide clean up will be held on April 20th from 9:00 AM to 12:00 PM. A BBQ dinner will be provided for those who participate.

JOHN PFANNENSTIEL

Nothing to report at this time.

EXECUTIVE SESSION

City attorney requested a thirty minute executive session.

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to convene into a thirty minute executive session to discuss legal affairs with the city attorney. All Aye. Motion Carried 4-0.

At 10:25 PM, Mayor Bettin announced the Council will reconvene into regular session with no action being taken from the executive session.

ADJOURNMENT

There being no further business to discuss, J. Barlow moved to adjourn the meeting. C. Wilderson second the motion. All Aye. Meeting adjourned at 10:30 PM.

Submitted for Council approval with/without corrections this 20th day of May, 1996.



Bryce D. Bettin, Mayor



Mary A. Mogte, City Clerk