

MINUTES

BASEHOR CITY COUNCIL

JULY 15, 1996

7:30 PM

Basehor City Hall

OFFICIAL PRESIDING: MAYOR BRYCE D. BETTIN

MEMBERS PRESENT: Charles Wilderson, Jerry Barlow, Joseph Odle, John Pfannenstiel and Robert Vervaecke

**Others Present: Jane Scherer, Treas.
Bill Mogle, WWTO
Glen Leroy, P. C.**

**John Thompson, Atty.
Mary Mogle, Clerk**

**Vince Weston, COP
Joe Scherer, P. C.**

The monthly meeting of the Basehor City Council was called to order at 7:30 p.m. with Mayor Bryce Bettin presiding. Pledge of Allegiance was recited followed by roll call. All members were present except John Pfannenstiel.

APPROVAL OF MINUTES

A motion was made by R. Vervaecke and seconded by J. Barlow to approve the Minutes of June 17, 1996 and Telephone Poll of June 20, 1996 as written. All Aye. Motion passed 4-0.

APPROVAL OF TREASURER'S REPORT

INVESTMENTS - C. Wilderson moved to reinvest CD #20087 in the amount of \$40,000.00 for one year at the highest yield rate available. R. Vervaecke second the motion. All Aye. Motion passed 4-0.

TREASURER'S REPORT - R. Vervaecke moved to approve the June 1996 Treasurer's Report as presented. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

1997 BUDGET - Budget work session was scheduled for July 22nd at 7:00 PM, Basehor City Hall.

C. Wilderson moved to hold the public hearing for the 1997 Budget on August 19th at 7:00 PM, Basehor City Hall. J. Barlow second the motion. Motion carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

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

CITIZENS AND PETITIONS

LEAVENWORTH AREA DEVELOPMENT - Gary Carlson, director for LAD, presented a Resolution for Council consider to form a tax abatement policy for industrial businesses. Mr. Carlson informed the Council that an Economic Development Action team was formed about a month ago and they wanted to establish a policy for tax abatement for industrial manufacturing businesses. The director explained the Kansas Statutes and their restrictions regarding tax abatement policies. The proposed resolution was read aloud by Mr. Carlson.

(Councilman Pfannenstiel arrived at 7:40 p.m.)

SCANNED

2-27-07 *lt*

Council members discussed pros and cons to implementing a tax abatement policy and how other cities handle the matter.

R. Vervaecke moved to table the matter until the August meeting and direct the city clerk to post a public hearing notice in the paper so that the council could receive direction for the citizens of Basehor. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 5-0.

ROGER MCDOWELL - Roger McDowell, of 15810 Leavenworth Road, represented a group of property owners residing along the north side of Leavenworth Road. Mr. McDowell passed out a map explaining the areas drainage problems. He explained the home owners are experiencing flooding in moderate to heavy rains. He requested the City cut the ditches north and south of Leavenworth Road and a collection ditch behind their homes on the City's lagoon property. McDowell realized the best solution to the problem would be to install storm sewers to handle run-off from the ditches but that is a long range plan.

Council discussed several methods that might help the property owners with their problem and informed Mr. McDowell they will submit his drawing to the city engineer for his review and someone would be in contact with him in the near future.

PARK ADVISORY BOARD

FOURTH OF JULY - A report was given that over \$2,500.00 was received in donations and activities to help go toward the fireworks display for 1997.

BASEHOR PLANNING COMMISSION

In the absence of David Knopick, Glen Leroy of Gould Evans & Associates, was acting planning consultant for the evening. Joe Scherer, Chairman of the Planning Commission also was present to give a report.

COMPREHENSIVE PLAN - Mr. Leroy announced on July 2nd the Planning Commission held a public hearing to consider the adoption of the revised comprehensive plan for the City of Basehor. Scherer noted the updates are mainly in the population growths and capital improvement chapters.

Councilman Wilderson noted he would like to see the sewer facility plan adopted before the comprehensive plan. Council unanimously agreed to table the adoption for further review.

SPRINT SPECIAL USE PERMIT - Planning Commission requested approval to issue a three year special use permit to Raphael Breuer and Sprint Spectrum. Sprint is requesting the placement of additional transmitting and receiving antennae on an existing tower and add new equipment at the base of the tower within a 30'x35' fenced area.

Curtis Holland, attorney for Sprint, was present to assure Council the additional transmitting antennae will not effect local reception. Sprint has agreed to all the stipulations except does not see the need to include item #1 which calls for Sprint to pay any franchise taxes due to the City of Basehor. Per state statute, franchise taxes are not assessed to air waves at this time. City attorney Thompson noted the language is "superfluous" and will not effect the city from implementing a tax at a later date.

R. Vervaecke moved to approve the three year special use permit as presented, excluding item #1. J. Odle seconded the motion. All Aye. Motion carried 5-0.

1. Any franchise tax due to the City of Basehor be paid. (*excluded by Council 7/15/96*)
2. All applicable 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 east 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 connection to sewer (September 1, 1996).
5. There shall be no interference with other frequencies or signals in the area.
6. The Special Use Permit be granted to the owner of the property, Ray Breuer, for a period of three (3) years from the date of ordinance publication.

ORD. #295. AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BASEHOR, KANSAS BY PLACING A SPECIAL USE PERMIT ON CERTAIN PROPERTY IN THE CITY OF BASEHOR, KANSAS.

KPL TO ATTEND MEETING - Scherer announced KPL will be present at their August 6th meeting to discuss the constant power outage in the area and future expansion plans. Citizens and Council are urged to attend.

CITY ORDINANCES - Scherer requested a copy of the city codes should be issued to the planning commission as reference material. Mayor Bettin informed him they are located in the Council bench for all meetings.

CITY ENGINEER

SEWER FACILITY - KDHE has approved the funding necessary to perform the sewer update as required by Kansas Department of Health & Environment.

WASTEWATER TREATMENT OPERATOR

BIDS - Wastewater Operator, Bill Mogle, presented two bids for electrical work to adapt the generator to the lift stations #1 and #3.

Central Detroit Diesel - \$2,996.24

Denney Electric - \$3,500.00

J. Odle moved to accept the bid from Central Detroit Diesel in the amount of \$2,996.24. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

LIFT STATION #1 - Mogle reported Denney Electric looked at the wiring at lift station #1 and confirmed that the copper wiring in place of the fuse was not to code.

CITY CLERK

BUREAU OF CENSUS - Clerk, Mary Mogle, reported the latest population report from the Bureau of Census shows the City of Basehor as dropping population from 1871 to 1766. Mogle reported she wrote a letter of protest and received a packet to fill out trying to justify the City's count. Mogle expressed her concern with the drop in population is that many of the City's state and federal funding is based on population count.

City Council directed Mogle to contact the planning consultant to get a bid on what he would charge to file the necessary paper work required by the census bureau.

CHIEF OF POLICE

DUNCAN CABINET SHOP - Chief Weston reported the insurance company for Duncan Cabinets informed him the burnt debris has not been removed due to a property owner dispute. Weston requested the City have the city attorney look into the matter immediately or the City will be left to handle the debris.

Thompson stated if the insurance company does not pay off to clean up, the City will be forced to clean it up and charge the costs against the property, therefore, he recommended putting the property owner on notice for dangerous structure.

Weston expressed concern that the area is not roped off. He requested permission to place a safety mesh up and charge it back to the property owner. Thompson stated since this was a safety issue, that was acceptable under the Chief's policing powers.

A motion was made by C. Wilderson and seconded by J. Barlow to allow Chief Weston to contact a company to put up safety mesh to keep children out of the area and charge back to property owner and authorization for the city attorney to put the property owner on legal notice and contact their adjuster to get a copy of insurance policy. All Aye. Motion passed 5-0.

PART-TIME OFFICER APPOINTMENT - J. Odle moved to appoint Dwaine Pant from the position of reserve officer to part-time officer effective immediately. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

CITY ATTORNEY

EXECUTIVE SESSION - Thompson requested an executive session at the end of the meeting.

MAYOR'S REPORT

WAGE INCREASE - Mayor Bettin presented a wage increase for full and part-time employees. He noted the increase the first of the year was based on merit, this one is based on cost of living. He will be implementing another increase effective January 1, 1997 with the new budget.

Wilderson noted he would like to see Jane Scherer, Don Wilson and Pat Massingill receive a higher increase than what is proposed since they did not receive one the first of the year. Barlow stated he felt the Chief of Police should be paid as much as the highest paid employee. Vervaecke noted he wages were too low and should be increased significantly.

J. Odle moved to accept the Mayor's recommendation as presented. J. Pfannenstiel second the motion. Odle, Pfannenstiel and Barlow-Aye. Wilderson and Vervaecke-No. Motion carried 3-2.

GREG LAFFERRE DAY - Council agreed to accept the Mayor's proclamation adopting August 3, 1996 as Greg Lafferre Day in honor of him being named in the Shriner's All-Star Football game.

BUILDING PERMIT FEES - Four samples (incorporated by reference) of how building permit fees could be structure were presented to Council for their consideration. There was a lengthy discussion as to which sample would be easy for the clerks to assess as well as fair and equitable.

J. Odle moved to adopt the Uniform Building Code schedule in it's entirety. J. Pfannenstiel second the motion. Odle, Pfannenstiel, Barlow-Aye. Vervaecke, Wilderson-No. Motion carried 3-2.

SEWER HOOKUP FEES - Mayor Bettin recommended increasing the sewer hookup fees. Those already in sewer in the process of obtaining sewers and those in Sewer District #12 will be exempt from the increase. Mr. Gratny, a member of Sewer District #12, noted it was his understanding those in Sewer District #12, were told by Council they would be exempt from the hookup fee. Both Councilmen Odle and Pfannenstiel stated the Council never voted on that and as they recalled that decision was yet to be determined. The matter was tabled for recommendation.

PUBLIC INPUT REGARDING TAX ABATEMENT

Susan Guy, President of Basehor Chamber of Commerce, spoke in favor of the Resolution allowing for tax abatements to industrial manufacturing companies. She stated there is a business in town that is ready to leave because the city does not offer incentives. Guy insisted the Council hold an emergency meeting next week to pass a tax abatement policy.

Tom Mills, owner of Central States Emblem, informed the Board he has received three large contracts and needs a new building in place by October. He anticipates the investment to be around \$400,000-\$500,000 over the next two years.

C. Wilderson moved to schedule a meeting regarding the tax abatement policy in conjunction with the budget work session on July 22nd at 7:00 p.m. J. Pfannenstiel second the motion. All Aye. Motion carried 5-0.

CHARLES WILDERSON

Leavenworth Area Development - A June meeting was not held. LAD will be moving in to their new building on Eisenhower Road July 29th.

Sewer Facility Plan - Questioned the engineers status of connecting sewer with Kansas City, Kansas. Mayor Bettin reported Kansas Department of Health & Environment approved the existing plan over the Kansas City Kansas plan. All revolving loan funds have been approved.

JERRY BARLOW

PROCLAMATION - Barlow offered to present the Proclamation to Greg Lafferre if the Mayor was unavailable.

TAX ABATEMENT - Barlow reminded Mrs. Guy that a number of years ago the Chamber of Commerce urged the City Council to grant concessions to Osage Tire and they shortly went out of business. He urged the other Council members to proceed with a tax abatement policy with caution.

EXECUTIVE SESSION

A motion was made by J. Pfannenstiel to convene into a twenty minute executive session to discuss legal matters with counsel. R. Vervaecke second the motion. All Aye. Motion carried 5-0.

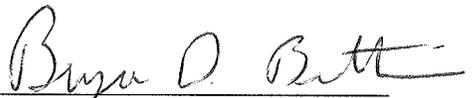
(Councilman Odle left at 9:15 PM)

At 9:45 p.m. Mayor Bettin reconvened back into regular session announcing that no action was taken from executive session.

ADJOURNMENT

There being no further business to discuss, Wilderson moved to adjourn the meeting. Barlow second the motion. All Aye. Meeting adjourned.

Submitted for Council approval with/without corrections this 19th day of August, 1996.



Bryce D. Bettin, Mayor



Mary A. Mogle, City Clerk

July 10th, 1996

Dear City Council

I would like to address
the city council on July 15th. about drainage
problem on Leavenworth Road. The problem
begins at the intersection of 15th + Leavenworth Road.
The ditches are not ~~deep~~ deep enough at the
end of the street to carry away the water
it smells in the neighbors yards and
flows over the street into our home.
Let us find a solution to this problem.

Sincerely,
Roger and Opal
McMull
15810 Leavenworth Road.