

MINUTES

BASEHOR CITY COUNCIL

November 18, 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**

Staff Present: Jane Scherer, Treas. Mary Mogle, Clerk Bill Mogle, WWTO
Vince Weston, COP Cecil Kingsley, Eng. Joe Scherer, Plan. Comm.

The monthly meeting of the Basehor City Council was called to order by Mayor Bryce Bettin. Pledge was recited followed by roll call by the city clerk. All members were present.

APPROVAL OF MINUTES

A motion was made by R. Vervaecke and seconded by J. Odle to approve the Minutes of October 21st and November 4, 1996 as printed. All Aye. Motion Carried 5-0.

APPROVAL OF TREASURER'S REPORT

TREASURER'S REPORT - Wilderson moved to approve the October 1996 Treasurer's Report as submitted. J. Barlow second the motion. All Aye. Motion Carried 5-0.

INVESTMENTS - No investments needed to be addressed at this time.

LEVIED TAXES - Wilderson questioned the clerk as to 1996 levied taxes and valuation verses 1997 per the county treasurer's report. City treasurer, Jane Scherer, reported the following:

| | <u>1996</u> | <u>1997</u> |
|-----------------|--------------|--------------|
| Generated Taxes | 115,281.90 | 117,163.74 |
| Mil Levy | 15.755 | 12.748 |
| Valuation | 7,317,164.00 | 9,190,755.00 |

APPROVAL OF MUNICIPAL COURT REPORT

It was moved and seconded by J. Barlow and R. Vervaecke to approve the October 1996 Municipal Court Report as submitted. All Aye. Motion Carried 5-0. (Receipts-3983.50)

CITIZENS AND PETITIONS

TRANSPORTATION RESOLUTION - Ed Chapman, Chairman of Leavenworth Area Development Transportation Committee, was present to request the Council adopt the proposed resolution. The resolution will express support from the City of Basehor to identify and promote the development of identified highway projects. If the City of Basehor adopts the resolution that will complete the circle with all cities in Leavenworth County supporting the document. An annual report will be made to the governing body by a committee member. In order to make sure Leavenworth County receives their apportionment for highways, the committee must work very closely with Kansas Department of Transportation, Mid-America Regional Council and County Commissioners.

A motion was made by C. Wilderson to adopt the Resolution as presented and pledge support to the LAD Transportation committee. J. Pfannenstiel second the motion. All Aye. Motion Carried 5-0.

RES. 96-02. A RESOLUTION OF SUPPORT FOR THE MISSION, ACTIVITIES AND IDENTIFIED PROJECTS OF THE LAD TRANSPORTATION COMMITTEE

LAD ANNUAL MEETING - LAD director, Gary Carlson, reported LAD's annual meeting will be held Wednesday, November 20th at the Riverfront Community Center. New board members will be elected at this time.

OPEN AGENDA - Mayor Bettin asked if there was anyone else present in the audience that needed to speak. None. Open agenda closed.

BASEHOR PARK ADVISORY BOARD

CHRISTMAS LIGHTS - Councilman Barlow noted the park board would like to install Christmas lights at the Gazebo at the city park. Council approved.

BASEHOR PLANNING COMMISSION

APT SPECIAL USE PERMIT - Chairman Joe Scherer stated the Planning Commission is made a recommendation to approve a three year special use permit to Ray Breuer and APT Communications. At this time Mr. Scherer requested the applicant make a brief presentation.

Robert Herlihy, with APT Kansas City, Inc., explained his company will be adding three sets of antennas to the top of the existing tower at 1216 N. 155th Street. This will provide citizens of Basehor, I-70 and I-435 locations access coverage to PCS (advanced telecommunications). A 15x20 compound will be installed at the base of the tower. The Council was assured by Mr. Herlihy the new frequency will not effect any existing frequency. The company will adhere to landscaping requirements, pave the access road (landowner to pave driveway pending sewers) and agrees to three year term.

Councilman Odle questioned the hazards of "piggy backing" on existing towers. Mr. Herlihy rebutted by answering there "is no effect on the existing structure". The tower has been inspected by structural engineers prior to filing application.

Councilman Wilderson noted the planning board included a stipulation that requires APT to pay a franchise tax. Mayor Bettin noted franchise taxes cannot be charged on wireless applications.

Chairman Scherer read aloud the permit stipulations. Mayor Bettin expressed concerns that the landowner had not yet installed the asphalt driveway as required in the last special use permit and noted the Board stipulated it be done within 90 days.

A motion was made by J. Odle and seconded by R. Vervaecke to approve the special use permit and adopt the proposed ordinance as written. All Aye. Motion Carried 5-0.

ORD. 302. 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,KS

SIDEWALK PROPOSAL - A three phase proposal to upgrade and construct new sidewalks was presented by planning chairman, Joe Scherer. Scherer stated based on a survey performed by PRIDE two years ago, the general consensus was that sidewalks should be a top priority in the city limits of Basehor.

Mayor Bettin suggested pledging a portion of the new sales tax proceeds for sidewalk construction. Scherer felt area organizations and Lansing Correctional Facility could help construction the sidewalk which will assist in keeping expenses to a minimum. Scherer's major concern is proper engineering. The new subdivision regulations call for sidewalks to be constructed by a developer in all new subdivisions.

Phase I - Rehabilitate existing sidewalks from Leavenworth Road to the High School (west of 155th Street) as needed.

Phase II - Construct sidewalks beginning on Klamm Street behind the elementary school extending west to 157th Terr. on the south side of the street, at which time, with the cooperation of resident Larry Reid and the City of Basehor to allow the walk to continue through his vacant lot on the south side of his property to which it may then proceed to the City Park. It may be necessary to construct a small walk over bridge on Mr. Reid's property. The next section of walk to be completed shall be a short section, which will begin at 155th and Leavenworth Road and continue to the east to 153rd St. Terr. on the north side of Leavenworth Road.

Council agreed to evaluate the proposal in the spring when the new sales tax money starts coming in.

CITY ENGINEER

SEWER DISTRICT #12 - Kingsley reported the reapportionment of Sewer District #12 is completed. Mayor Bettin announced the district property owners will be given notice after the holidays.

SEWER FACILITY UPDATE - City attorney is currently negotiating a price for the ground.

MONTHLY SEWER INCREASE - Pat Cox will be providing information on a rate increase shortly and requests a special meeting be scheduled for next week.

Kingsley noted the rate structure will help provide an increase needed to help subsidize current costs and assist with sewer project costs that are not reimbursable through the state revolving loan. The reports indicate a minimum cost of \$20.00 per month should be implemented the 1st of January and then a possible increase to \$35.00 when the project is completed. Kingsley did not want to discuss figures any further until the special meeting when cost factors would be substantiated by Pat Cox.

Council agreed to schedule a special work session on November 26, 1996 at 7:00 p.m. to discuss sewer rate increase.

STORM DRAINAGE REPORT - The city engineer, Cecil Kingsley, recommended not establishing a storm water policy because it will open up liability for the City. Currently the city is not responsible for drainage unless it is a city drainage easement. Kingsley suggested incorporating the proposed studies into a master plan.

Mayor Bettin asked if the City elects to do one of the three projects, will the city be liable. Kingsley noted he does not want to comment and suggested forwarding the question onto the city attorney. Bettin directed the city clerk to send the reports in question to the affected property owners.

CITY CLERK

142nd STREET - Mogle reported the ditch at 1507 N. 142nd Street has silted in and is causing water to run over the street. County has agreed to clean the ditch our free of charge but if the property owners culverts need to be replaced that will be \$100.00 per price of the culvert. Mogle noted the culverts will be the sole responsibility of the home owner. Council agreed to allow the county to perform the work and directed the clerk to notify the property owner if additional work needed to be done.

MAYOR'S REPORT

SALES TAX ISSUE - Mayor Bettin thanked the general public for supporting the recent sales tax proposal. He noted the City will use the funds to better the community.

EXECUTIVE SESSION - In the absence of city attorney, Mayor Bettin requested a fifteen minute executive session to update the Board of pending legal matters. Councilman Pfannenstiel reminded Mayor Bettin an executive session could not be held without the presence of legal council. Mayor Bettin reserved the right to hold an executive session at the special work session next week.

24-40 HIGHWAY - Mayor Bettin reported he is still negotiating with Kansas Dept. of Transportation on placing a temporary traffic signal at 155th & State Avenue. He noted negotiations were not going well at this time.

COUNCIL MEMBER REPORTS

CHARLES WILDERSON reported PRIDE won First Place in the 1996 State competition. Basehor competed with other cities with a population of 1,000 to 4,000. Along with a plaque the group was rewarded \$500.00 which will be designated towards city improvements.

An appreciation dinner was given on November 16th to all those people in the Basehor community who helped with the various projects. Wilderson also thanked the city employees for their help throughout the year.

ADJOURNMENT

There being no further business to discuss, J. Barlow moved to adjourn the meeting. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

Submitted for Council approval with/without corrections this 16 day of Dec., 1996.



Mayor Bryce D. Bettin



Mary A. Mogle, City Clerk