

BASEHOR CITY COUNCIL
January 9, 1995
7:30 PM
Basehor City Council

OFFICIAL PRESIDING: JERRY BARLOW, COUNCIL PRESIDENT

MEMBERS PRESENT: Charles Wilderson and John Pfannenstiel

MEMBERS ABSENT: Bryce Bettin

Others Present: Pat Henderson, Atty. Bruce Browne, PE
Mary Mogle, City Clerk Vince Weston, COP
CITIZENS of BASEHOR
(see attached list)

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In the absence of Mayor Odle, President Jerry Barlow called the monthly meeting of the Basehor City Council to order at 7:35 P.M. All members were present except Bryce Bettin.

APPROVAL OF MINUTES

John Pfannenstiel requested the Minutes of December 19, 1994, page 4, paragraph 1 reflect the change from "budget" to "audit" and the January 6, 1995 Minutes should read January 5th.

It was moved and seconded by J. Pfanennstiel to accept the Minutes of December 19, 1994 with corrections, December 27, 1994 and January 4, 1995 telephone poll as written and Minutes of January 6th with corrected date of 5th as written. C. Wilderson seconded the motion. All Aye. Motion Carried 3-0.

APPROVAL OF TREASURER'S REPORT

Due to an early meeting date, a December Treasurer's Report was not ready for approval. Clerk Mogle reported she will mail all the members reports and poll them as to their vote.

INVESTMENTS - C. Wilderson moved to reinvest CD #13248 for six months at the highest rate of interest that can be obtained. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 3-0.

SCANNED

2-26-07 *lt*

APPROVAL OF MUNICIPAL COURT REPORT

There being no corrections, J. Pfannenstiel moved to approve the December 1994 Municipal Court Report as submitted. The motion was seconded by C. Wilderson. Motion Passed 3-0.

CITIZENS AND PETITIONS (no written requests received)

LEAVENWORTH AREA DEVELOPMENT

Leavenworth Area Development was represented by executive director, Brien Starner and president, Joel Grodberg. A synopsis of how Leavenworth Area Development (LAD) is funded and their duties was reported. The purpose of LAD is to enhance general wealth and provide businesses that to conducive to the city. By bringing businesses to Leavenworth County this helps to provide employment as well as increase the tax base needed. A list of new Leavenworth County businesses was given to Council.

Mr. Starner requested Council continue membership on the Board through support and membership fees. He also explained the county commissioners have cut their 1995 funding and will receive no funding in 1996.

Wilderson commended LAD for the work they do and then moved to pay the \$500.00 membership fee and increase their fee by 10% totaling of \$550.00 as requested by LAD. J. Pfannenstiel seconded the motion. Wilderson & Pfannenstiel-Yes Barlow-Nay. Motion Carried 2-1.

BASEHOR PLANNING COMMISSION

Boardmember, Victor Ziegler reported that no formal action was taken at this months meeting.

CITY ENGINEER

SEWER DISTRICT #12 - Browne reported the work on Sewer District #12 was going slow due to the weather and broken equipment but feels that the process will go faster from here on out.

CITY CLERK

BOND FOR CLERK #2 - Mogle reported the new clerk is on staff as of January 2, 1995 and needs to be bonded. Currently all clerks are bonded in the amount of \$10,000.00.

It was moved and seconded by J. Pfannenstiel and C. Wilderson to place a bond on Jenne Laytham in the amount of \$10,000.00. All Aye. Motion Carried 3-0.

SOLID WASTE MANAGEMENT PLAN - Leavenworth County will be holding a public hearing on January 23, 1995, Lansing Community Center regarding the proposed Solid Waste Management Plan. Mogle asked if a Councilmember would be willing to attend.

C. Wilderson asked Councilmember Pfannenstiel to attend the meeting since he sat on the original county committee. Pfannenstiel agreed.

FEBRUARY MEETING - Mogle asked Council if they wanted to change their February meeting date since it falls on a holiday.

It was the consensus of the Board not to change the meeting date.

CHIEF OF POLICE (nothing at this time)

CITY ATTORNEY

Patrick Henderson appeared as legal counsel in the absence of John Thompson.

WELLINGTON PLACE - Henderson reported a joint suit has been filed against the contractor who constructed the streets and sewers in Wellington Place subdivision and the bond company. He also reported that no response has been received back from the defendants.

Henderson wanted Council to understand that cases of this nature could be in the court system anywhere from one week to five years. A list of all the property owners in Wellington Place has been requested from the city clerk so that a letter of status can be sent to the affected property owners. Henderson anticipated the owners receiving the letter in 7-10 days. Council urged the attorney to send the letter within the week.

The attorney was questioned as to the actual claim made against the defendants. Henderson responded by saying it is a "general claim" stating the streets are not in compliance with city and state regulations, therefore, they are in violation of Kansas laws.

1/2 CENT SALES TAX - Henderson presented the Board with a Resolution calling for the question to be placed on the

April 4, 1995 ballot propositioning a city-wide levying of one-half cent retailers sales tax. Henderson advised a publication of two consecutive weeks needs to be made. If the question passes then the Council needs to adopt an ordinance ordering the tax.

The generated taxes will be used toward streets and infrastructure and purchasing maintenance equipment.

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to pass the resolution ordering the question to be placed on the April 4, 1995 ballot for a one-half cent sales tax. Wilderson & Pfannenstiel-Aye Barlow-Nay. Motion Carried 2-1.

RES. 95-01 - A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF BASEHOR, KANSAS, THE PROPOSITION OF LEVYING A ONE-HALF OF ONE PERCENT (.5%) RETAILERS' SALES TAX IN THE CITY OF BASEHOR, KS.

PETITION FOR ANNEXATION - A petition for annexation has been received from Judith Rockwell and Shirlene Pouppirt for a piece of property adjoining the city limits north of Meyer Drive and west of 155th Terrace.

Council briefly discussed the capacity of the north lagoon and what future mandates were going to be placed on the City by Kansas Department of Health & Environment.

Engineer Browne advised Council to get the mandates from KDHE in writing before they make any decisions. Browne explained that as far as he was concerned the lagoon could handle the small subdivision. He informed Council that he is required to work from calculations rather than appearance.

J. Pfannenstiel moved that the petition and agreement for annexation be tabled until the February meeting so they can meet with KDHE representatives. C. Wilderson seconded the motion. All Aye. Motion Carried 3-0.

Barlow noted the wastewater operator has submitted a letter that requests a moratorium on building until upgrades are made. No action taken at this time.

MAYOR'S REPORT

President, Jerry Barlow presented this report in the absence of Mayor Odle.

INCREASE MINIMUM LOT SIZE - Barlow reported the Mayor would like to see the lot size increase to two and one-half

acres or meet county specifications for lots requiring septic tanks.

J. Pfannenstiel moved to send this matter back to the planning board for recommendation when they address the topic in the comprehensive plan process. C. Wilderson seconded the motion. All Aye. Motion Carried 3-0.

MEETING WITH KDHE - Council agreed to schedule a worksession with KDHE for January 16, 1995 at 7:00 PM.

BOND REQUIREMENTS - Barlow noted Mayor Odle would like to look into requiring developers to provide "cash bonds" or "letters of credit" instead of bonds since bonding companies are not willing to pay off.

Council referred this matter to legal counsel for review and discussion at the February meeting.

IMPROVEMENT ACCEPTANCE METHODS - Mayor Odle would like to see a study performed of what other methods are available when approving streets and sewers. He would also like to ask that the performance and maintenance bonds be extended from two years to three.

J. Pfannenstiel moved to ask the Planning Board for a recommendation at their earliest convenience. C. Wilderson seconded the motion. All Aye. Motion Passed 3-0.

BUILDING MORATORIUM - Odle is requesting a moratorium on building.

C. Wilderson moved to deny the request and wait until the Council had the opportunity to meet with KDHE. The matter will be placed on the February agenda. The motion was seconded by J. Pfannenstiel. All Aye. Motion Carried 3-0.

EXECUTIVE SESSION

President Barlow requested a twenty-minute executive session to discuss attorney-client privileges.

J. Pfannenstiel moved to adjourn into a twenty-minute executive session as requested. C. Wilderson seconded the motion. All Aye. Motion Carried 3-0.

Barlow requested the city attorney and clerk attend the executive session. (8:15 PM)

At 8:35 PM, President Barlow reconvened the regular session and announced that no action was taken in executive

session.

JOHN PFANNENSTIEL

WELLINGTON PLACE SUBDIVISION - Councilman Pfannenstiel stated that "we as council can call a worksession upon request" if residents of Wellington Place wish to meet. Wilderson concurred with Pfannenstiel.

CHARLES WILDERSON

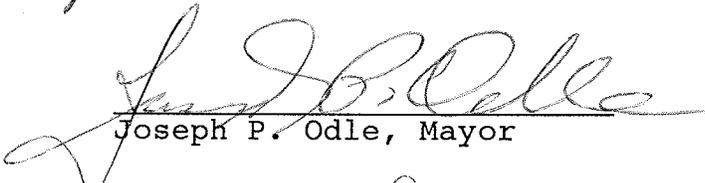
HOLIDAY LIGHTING CONTEST - Wilderson announced that this year the City shared the cost with the Chamber of Commerce in sponsoring the Holiday Lighting Contest. He felt this years participation was outstanding. Wilderson requested the City co-sponsor the event again in 1995 in the amount of \$100.00.

It was moved and seconded by J. Pfannenstiel and C. Wilderson to donate \$100.00 for 1995 Holiday Lighting Contest. All Aye. Motion Carried 3-0.

ADJOURNMENT

There being no further business to discuss, a motion was made by J. Pfannenstiel and seconded by C. Wilderson to adjourn the meeting. All Aye. Meeting was adjourned at 8:45 PM.

Submitted for Council approval without corrections
this 20th day of February, 1995.


Joseph P. Odle, Mayor


Mary A. Mogle, City Clerk