

MINUTES

BASEHOR CITY COUNCIL

May 15, 1995

7:30 PM

Basehor City Hall

OFFICIAL PRESIDING: PRESIDENT JERRY BARLOW

**MEMBERS PRESENT: John Pfannenstiel, Charles Wilderson,
Bryce Bettin and Joseph Odle**

(Odle, Wilderson and Pfannenstiel were give Oath of Office
prior to the meeting date)

Others Present: Jane Scherer, Treas. John Thompson, Atty
Vince Weston, COP Bill Mogle, WWTO
Bruce Browne, Eng. John Matthews, PC
Mary Mogle, Clerk Citizens of Basehor

The monthly meeting of the Basehor City Council was called to order at 7:30 PM by Council President, Jerry Barlow. All members were present.

APPROVAL OF MINUTES

Bettin asked that the following corrections be made to the April 17, 1995 Minutes.

1. Original Minutes show March 17, 1995 and should be April 17, 1995.
2. Re-sodded should be re-sod (page 2, paragraph 1)
3. Add to motion: Wilderson seconded the motion. All Aye. Motion Carried 4-0. (page 5, paragraph 1)

A motion was made by B. Bettin and seconded by C. Wilderson to approve the Minutes of April 17, 1995 with aforementioned corrections and the telephone poll of April 25, 1995. All Aye. Motion Carried 5-0.

APPROVAL OF TREASURER'S REPORT

EARLY PAYMENT RELEASE - A motion was made by B. Bettin giving the treasurer authorization for early release of checks that came due prior to council meeting date. J. Odle seconded the motion. All Aye. Motion Carried 5-0.

TREASURER'S REPORT - C. Wilderson moved to approve the April 1995 Treasurer's Report and reinvest CD #10141 at the

highest rate of interest available for six months. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 5-0.

TRANSFER OF FUNDS - B. Bettin moved to transfer \$125,000 from the money market account to the Municipal Investment Pool. Distribution would consist of investing \$75,000.00 in the daily pool with the \$50,000.00 balance going into the intermediate pool for nine months.

APPROVAL OF MUNICIPAL COURT REPORT

It was moved and seconded by J. Pfannenstiel and B. Bettin to approve the April 1995 Municipal Court Report as printed. All Aye. Motion Carried 5-0.

RECOGNITION OF OUTGOING MAYOR

On May 3, 1995, Mayor Odle resigned his position as Mayor to assume the roll of Council member. At this time, President Jerry Barlow presented Joe Odle with a plaque expressing appreciation for the six years he devoted to the City of Basehor.

RESIGNATION OF COUNCIL PRESIDENT

Councilman Barlow officially resigned his position as council president and noted that he will continue to retain his seat as a council member until his term expires.

ELECTION OF NEW MAYOR AND PRESIDENT

Barlow noted that nominations were open for council president and whoever won the nomination would automatically become the new Mayor and another election for council president would take place.

C. Wilderson moved to elect Bryce Bettin for president, J. Odle seconded the motion. All Aye. Motion Carried 5-0.

AT THIS TIME THE CITY CLERK ADMINISTERED THE OATH OF OFFICE TO NEWLY ELECTED MAYOR BETTIN.

Mayor Bettin thanked the Council for their support in the election and looks forward to working with them. Bettin commented by him receiving the Mayor's seat, this leaves a council position open. He encouraged Council members and citizens of Basehor to notify him if they were interested or knew of someone interested in serving on City Council, Planning Commission or Board of Zoning Appeals.

Mayor Bettin entertained nominations for council president.

J. Pfannenstiel nominated Charles Wilderson for council president. J. Barlow seconded the motion. All Aye. Motion Carried 4-0.

CITIZENS AND PETITIONS

SHANNON & KARLA STEVENS, residing at 2452 N. 155th Terr. in the Crestwood Subdivision, appeared before the Board to request assistance in eliminating a severe drainage problem in their back yard. The Shannon's expressed frustration with the developer for not responding to their request to extend the existing culvert past their drainage ditch. They reported at the end of the culvert is a five foot ditch which constitutes a safety and health hazard to the neighborhood children. The couple does not feel it is up to them to pay the \$2,000.00 for additional piping. They request the city help them make the developer install the culvert.

Engineer, Bruce Browne, stated it is not uncommon for a developer to take a culvert half-way due to the expense of the culvert.

Mr. Stevens pointed out that the homes being built in the new phase are going to be flooded because of the drainage problem.

Council discussed several options with the property owner and if additional building permits could be withheld in the subdivision. City attorney, John Thompson, informed the Council they have the authority to halt the building until drainage problems are resolved.

A motion was made by J. Odle to withhold all building permits until drainage is corrected. Barlow seconded the motion. All Aye. Motion Carried 4-0.

Pfannenstiel questioned whether the drainage pipe was constructed properly according to code. Browne responded with "Yes".

Thompson noted that the current problem needs to be addressed before additional housing is constructed causing more problems.

Browne reported it will take over one hundred feet of pipe to solve the problem. He feels there is more of a siltation problem than an erosion problem.

MR. CRAMER, residing at 15806 Leavenworth Rd., was not present but Council addressed the matter with the city clerk.

City Clerk, Mary Mogle, informed the Board the Cramer's had been stuck with an assessment of \$323.36 for delinquent sewer and solid waste fees from 1994. The assessment was actually created by the previous owner (Everett Marmon). The Cramer's were going to request the assessment be returned to them.

Thompson stated it would be too expensive to collect from the previous owner if they lived outside Leavenworth County.

Councilman Barlow noted the City cannot be responsible for this problem.

J. Pfannenstiel moved to table the matter until the June meeting and request the Cramer's be present to clarify the matter. The motion died for lack of second.

C. Wilderson moved to only reimburse the \$50.00 administrative penalty to the Cramer's. The motion was seconded by J. Odle. Wilderson, Odle, Barlow-Aye Pfannenstiel-Nay
Motion Carried 3-1.

PLANNING COMMISSION

INCREASE IN PLAT FEES - The Board recommended the following amendment to Resolution 91-05 concerning plat fees.

Preliminary Plat:

Current Charge: \$50.00

Amendment: \$50.00 Adm. Fee plus \$2.00 per lot

Final Plat:

Current Charge: \$50.00

Amendment: \$100 Adm. Fee plus \$5.00 per lot

Chairman Matthews noted the recommendation is based on a survey that was taken from other cities and fees charged by the City's engineer and consultant.

Following a brief discussion, J. Pfannenstiel moved to reverse the charges make a preliminary plat fee -\$100.00 plus \$5.00 per lot and a final plat cost \$50.00 with a \$2.00 per lot fee. The motion was seconded by C. Wilderson. All Aye.
Motion Carried 4-0.

SUBDIVISION IMPROVEMENTS - Chairman Matthews presented an updated version of Subdivision Improvements concerning streets, sewers and other construction within a development.

Matthews noted some items added were:

1. Require the "CITY" be named the payee, not the developer.
2. Require "As Built Plans" for utilities.
3. Require a bond company to be certified with the Kansas Insurance Commission.
4. Maintenance Bond remain two years.

J. Odle stated the two year maintenance bond should be increased to three or four years. He commented that when a street starts to have problems it is after the bond has expired. Matthews felt by upgrading street regulations last year, the streets will hold up better. Browne reported a normal bond for streets is one year and sewers being two years.

Pfannenstiel noted a public hearing was not held, therefore, Council could not act on the matter.

Pfannenstiel moved to table the matter until which time the planning commission could hold a public hearing. J. Odle seconded the motion. All Aye. Motion Carried 4-0.

Wilderson directed Matthews to consider increasing the bond from two to three years and an inspection process.

ACCESSORY BUILDING - A recommendation was made by the Board to increase the square footage of accessory buildings in R-0 and R-1 zonings. The recommendation was for 2.5% of the lot size or a maximum of 1,200 sq. ft.

Matthews reported the request for review came from the city clerk due to questions she was receiving from the general public. Council expressed concerns about a business operating out of a building of this size.

Following a brief discussion, J. Pfannenstiel moved to increase the accessory building requirements from 2.0% to 2.5% of the lot size with a maximum of 1,200 sq. ft. per the recommendation of the planning commission. J. Odle seconded the motion. All Aye. Motion Carried 4-0.

JOINT CITY/COUNTY PLANNING BOARD - Matthews presented a request to create a joint review board between the city and county planning commissions. The Board would consist of three county planning members, three city planning members and one at-large member.

Pfannenstiel feels the comprehensive plan incorporating the three mile radius outside the city limits needs to be completed before a joint board is created.

Bettin and Odle were under the assumption that the 1993 Comprehensive Plan was a workable copy. Odle stated it is not necessary to revise the comprehensive plan every year only review. Pfannenstiel agreed, however, since the 1993 plan only takes in one mile, the plan should be completed to include the three mile radius.

Planning Chairman, John Matthews, noted there is no need to wait since a fairly current plan is in place. Matthews was asked if Leavenworth County Planning Commission had been approached regarding this venture. Matthews introduced two county planning members, Steven Rosenthal and Sam Maxwell, who welcomed the joint board so that things will move smoother and everyone works together.

A motion was made by J. Odle to approve the creation of a joint review board with the City of Basehor and Leavenworth County Planning Board. J. Barlow seconded the motion. Wilderson, Odle and Barlow-Aye. Pfannenstiel-Nay. Motion Carried 3-1.

Matthews noted he will be glad to represent the City of Basehor before the Commissioners on Wednesday, May 24, 1995.

CITY ENGINEER

SEWER DISTRICT #12 - Engineer, Bruce Browne, reported there was very little construction performed on Sewer District #12 this past month. The sewers were air tested indicating two leaks. Browne has been in contact with the owner of the company who is skeptical about issuing a completion date because of the weather. Browne discussed several other items that needed to be addressed and referred Council to his "punch" list of May 1, 1995. The final payment will not be issued until the county engineer and property owners are satisfied.

CHIEF OF POLICE

COPS FAST PROGRAM - Chief Weston reported the final paper work has been received from the U. S. Department of Justice authorizing funds for a fourth officer. Weston noted that since funds were not allocated in the 1995 budget, he is recommending the officer be hired as of January 1, 1996.

Council unanimously agreed to pursuit the program.

WILSON RECOGNIZED - Weston informed Council that on May 13, 1995, Donald Wilson, was recognized by the Law Enforcement Committee for his years of service. Wilson received a plaque and certificate at the awards presentation.

OTHER BUSINESS

FIREWORKS - Danny Dearing, Lions Club member, asked if the City was going to sponsor fireworks again this year. He noted last year the display and insurance cost \$2,200.00. He felt that several organizations in the area will be willing to donate funds to help reduce the City's contribution.

Clerk Mogle reported the City has received \$776.50 in donations toward 1995 celebration. Insurance for last years fireworks display was \$500.00.

Wilderson noted the PRIDE committee will be in charge of the days events and feels that in 1996 the celebration will be almost self-sufficient.

Barlow suggested adopting a gate fee next year to help pay some of the expenses.

A motion was made by C. Wilderson and J. Pfannentiel to donate up to \$1,100.00 for the fireworks display and insurance. All Aye. Motion Carried 4-0.

MAYOR'S REPORT

1995 STREET PROGRAM - A \$31,342.00 quote was received from Leavenworth County Department of Public Works to overlay and chip and seal necessary streets.

Councilman Odle noted the north end of 152nd Street was to be bomaged but was not included in the estimate.

Clerk Mogle asked that the original estimate be approved and allow her to poll the Council on the cost of bomaging upon receipt. This way the County can go ahead and place the City on their summer work schedule.

J. Pfannenstiel moved to approve the street repair schedule and estimate of \$31,342.00 and authorize the clerk to poll Council upon receipt of price for bomaging 152nd St. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

APPOINTMENTS - Mayor Bettin announced he would be delaying appointments until the June meeting.

JUDY ROCKWELL - Questioned Council as to how soon they were going to be considering annexing properties outside the city. Council responded with as soon as a sewer plan is in place they will consider it.

EXECUTIVE SESSION - Mayor Bettin called for an executive session as requested by the city attorney regarding pending litigation.

J. Pfannenstiel moved to convene into executive session for a period of thirty minutes to discuss pending litigation and personnel. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0. (9:35 PM)

At 10:00 PM, Council reconvened into regular session, with Mayor Bettin announcing that no action was taken during executive session.

WORKSESSION - Bettin informed Council he would like to hold a worksession later this month. He will schedule the meeting and get back with the Council at to as workable date.

BOARD VACANCIES - Bettin reiterated there are positions open on the City Council, Planning Commission and Board of Zoning Appeals. If anyone is interested in serving on either board, they should call him or send a letter of intent.

JERRY BARLOW

JOHN PFANNENSTIEL

PARK IMPROVEMENTS - Pfannenstiel announced that Theno & Sons Construction Company will commence on Monday, June 22, 1995 to construct the gazebo in the city park.

CHARLES WILDERSON

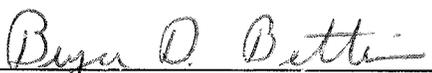
RECOGNITIONS - Councilman Wilderson, on behalf of the Basehor Chamber of Commerce, presented Mary Mogle, Vince Weston and Joe Odle Certificates of Appreciation for their participation at the Leavenworth County Southern Leadership Class.

JOSEPH ODLE

ADJOURNMENT

There being no further business to discuss, J. Odle and J. Pfannenstiel moved and seconded to adjourn the meeting. All Aye. Meeting was adjourned at 10:10 PM.

Submitted for Council approval with/without corrections this 19th day of June, 1995.


Bryce D. Bettin, Mayor


Mary A. Mogle, City Clerk

Sign-In Sheet
5-15-95

1. ~~Office~~
2. Susan Guy
3. Pat Massingill
4. Judy Goers
5. Pete Jones
6. ~~John Mattley~~
7. Mr + Mrs Shannon Steuen
8. Bob Skaggs
9. Bob Bryan
10. Howard Rogers
11. Vic Ziegler
12. Sam Maxwell
13. Steve Rosenthal
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.

Shannon & Kaula Stevens

2452 N. 155th Ter.

Crestwood Country Estates

- Problem - Drainage Ditch

- Developer - Dent



FRIENDS OF THE LIBRARY

P.O. Box 128
Basehor, KS 66007

May 4, 1995

Dear Business Owner:

Summer is almost here and we would like to extend to you the opportunity to help the children in the community experience the joy of reading by participating in the summer reading program.

The reading program at Basehor Community Library is available to area children from preschoolers to 13-year-olds. Each year the Friends of the Basehor Library sponsor this program in which over 300 children participate. The theme for this year's program is "Arts on Parade." Its focus is on literary, visual, and performing arts.

Our goal in providing a reading program is to motivate kids to READ during the summer and prizes are offered as an incentive for a certain number of pages read. A donation would enable us to offer desirable prizes and would be much appreciated by the children and the Friends group.

Thank you for your help and consideration.

Sincerely,

Denise Douglas,
Summer reading program chair

* * * * * Please mail donations by June 2 * * * * *
