

MINUTES

BASEHOR CITY COUNCIL
June 19, 1995
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: MAYOR BRYCE D. BETTIN

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

**Others Present: Jane Scherer, Treas. Mary Mogle, Clerk
William Mogle, WWTO Mary Ohler, Park Brd
Joe Scherer, P. C. Vince Weston, COP
Patrick Henderson, Atty
Citizens of Basehor**

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The monthly meeting of the Basehor City Council was called to order by Mayor Bryce Bettin at 7:30 PM. Pledge of allegiance was recited followed by roll call. All members were present.

APPROVAL OF MINUTES

J. Barlow moved to approve the Minutes of May 15, 1995 as written. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 4-0.

J. Barlow moved to approve the telephone poll of May 20, 1995 as written. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 4-0.

APPROVAL OF TREASURER'S REPORT

ADOPT RESOLUTION 95-02 - A motion was made by J. Pfannenstiel and seconded by C. Wilderson to adopt Resolution 95-02 authorizing the Mayor and City Treasurer to do business with the Kansas State Municipal Investment Pool. All Aye. Motion Carried 4-0.

AMEND 1995 BUDGET - City Treasurer, Jane Scherer, requested Council approval to hold a public hearing to amend the 1995 Budget to include a transfer from Unreserved Fund Balance to the General Fund. The funds will primarily be used for capital improvement projects..

Odle reported he has tried for three years to get Wagner to allow the City to use those funds. He questioned why all of a sudden Wagner was willing to make the transfer. Scherer

SCANNED

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noted she felt it was evidently the way she stated the request, since she had made the request on numerous occasions herself. Odle asked that this subject be addressed with Wagner at their worksession.

A motion was made by C. Wilderson and seconded by J. Odle to hold a public hearing to amend the 1995 Budget as submitted on July 17, 1995 at 7:00 PM. All Aye. Motion Carried 4-0.

APPROVAL TO PROCEED WITH CAPITAL IMPROVEMENT PROJECTS-

City Clerk, Mary Mogle, requested Council approval to allow the staff to proceed with collecting bids for the capital improvements as submitted in the amended budget. Mogle noted she realized the bids could not be acted on until the amended budget was approved.

A motion was made by J. Pfannenstiel giving the city clerk authorization to get bids and cost estimates for the 1995 Capital Improvement Projects. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

1996 BUDGET WORKSESSION - J. Pfannenstiel moved to hold a 1996 Budget Worksession on July 24, 1995 at 7:00 PM. and a public hearing to adopt the 1996 Budget on August 14, 1995 at 7:00 PM. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

TREASURER'S REPORT - It was moved and seconded by C. Wilderson and J. Pfannenstiel to approve the May 1995 Treasurer's Report as submitted. To reinvest T-Bill #010 (\$103,000.00) for one year and T-Bill #030 (\$51,000) for six months at the highest yield rate available. All Aye. Motion Carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

It was moved and seconded by J. Barlow and J. Pfannenstiel to approve the May 1995 Municipal Court Report as submitted. All Aye. Motion Carried 4-0.

CITIZENS AND PETITIONS

GARY WELLS - Gary Wells was present to "set a few things straight" regarding his subdivision that was started back in 1993. Wells submitted copies of previous Minutes which stated he was not willing to be named as a plaintiff in the suite and was responsible for the street and driveway problems. He expressed problems he had with engineers and attorneys. He stated the city became the owner when they received a copy of the maintenance bond even though his name

was inadvertently added instead of the City. As far as he is concerned Miles is responsible for the property owners driveways not him. He wants a full apology and dropped from the law suit. If not--he will go to court and win!

Odle questioned Wells as to why this was the first meeting he has attended regarding Wellington Place. He noted that when the City accepts streets it's without defects and Wellington was not free of defects.

FRIENDS OF THE LIBRARY - J. Pfannenstiel moved to donate \$50.00 to Friends of the Library summer reading program. J. Odle seconded the motion. All Aye. Motion Carried 4-0.

PLANNING COMMISSION

COMPREHENSIVE PLAN - Bettin announced he attended the last planning board meeting and charged the commission to put more personal effort into the remaining revisions. Bettin has allocated \$7,000.00 in the general fund to finish the plan and monthly costs.

Odle complained about the first quarters bills incurred by Kiesling stating some items were not justified. He feels the report in the monthly packet is a basic report that any planning board member could have compiled themselves. Planning board member, Joe Scherer, agreed with Odle. Odle stated he has not seen any of the maps that have already been paid for. Scherer noted the maps are being revised again.

Mayor Bettin noted he felt the same way about the plan and that everything is just too generic. He feels there is a miscommunication about the duties of the planner and planning boards. Odle recommended the planning board compile the rest of the plan.

Pfannenstiel stated the biggest problem is there has been no guidance from Council. Council needs to meet with Kiesling and direct him of his duties.

Council agreed to discuss the matter with Kiesling and the Planning Commission at their worksession June 22, 1995 at 7:00 PM. Barlow and Pfannenstiel will not be able to attend due to previous commitments.

BASEHOR PARK ADVISORY BOARD

PURCHASE OF EQUIPMENT - Mary Ohler and Judy Goens were present to make the following requests:

1. Purchase of box blade-\$300.00

2. Horse Shoe Pits (cost ?)
3. Playground equipment-\$14,000.00
4. Removed shrubs and trees for easy mowing.

Ohler noted that all these projects will be paid for through donations from the Basehor Park Association.

Wilderson requested the Board wait to remove the shrubs and trees since PRIDE had planned to use some to landscape city hall and around the city.

J. Odle moved to authorize purchase of the box blade, horse shoe pits and playground equipment (at no cost to the city). J. Barlow seconded the motion. All Aye. Motion Carried 4-0.

INSURANCE COVERAGE - Mayor Bettin reported the insurance premiums will not increase as long as the company inspects and approves the equipment after it is installed.

The playground equipment will be handicap accessible and ADA approved.

BUILDING INSPECTOR

BUILDING CODES - A request was made by building inspector, Mike Bilyk, to update the uniform building, plumbing, electrical and fire codes.

J. Odle moved to update the uniform codes to the most recent publications. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 4-0.

CHIEF OF POLICE

NOISE POLLUTION ORDINANCE - A report was given by Chief Weston that he has received an increase in complaints regarding loud stereos in vehicles. The ordinance is for both safety and nuisances.

Assistant attorney, Patrick Henderson, submitted for Council approval a model ordinance he acquired from the League of Kansas Municipalities which he feels is constitutional and will hold up in Kansas courts.

J. Pfannenstiel moved to authorize the attorney to draft an ordinance by Don Mohler with the exception of eliminating the six month jail penalty clause. C. Wilderson seconded the motion. Discussion followed. Pfannenstiel and Wilderson withdrew their motions.

A motion was made by J. Barlow to authorize the attorney to draft the ordinance as submitted. J. Pfannenstiel seconded the motion. Wilderson, Pfannenstiel, Barlow-Aye. Odle-Nay. Motion Passed 3-1.

CITY PARK CODE AMENDED - Weston requested Council update the current city park regulations by amending sections 12-104 and 12-105.

Weston also requested Council address the matter of who was going to be allowed to camp in the park and if was going to be by permit only.

Odle moved to table the matter for further study. J. Pfannenstiel seconded the motion. All Aye. Motion Carried 4-0.

Council agreed to have the Park Advisory Board study the situation and make a recommendation at the July meeting.

CITY ATTORNEY

WELLINGTON PLACE SUBDIVISION - Requested an executive session to discuss this matter.

JOINT CITY/COUNTY REVIEW BOARD - Bettin reported he was in receipt of a letter from the County Commissioners stating they were not in favor of forming the joint board, however, they would review the Kansas State Statues for requirements.

Patrick Henderson reported he talked with county attorney, David Van Parys as to questions that were raised by the County Commissioners. Items such as who was going to pay the committees expenses, who make the appointments to the board, who would hear the appeals, make inspections and what the city's goals are,

Planning Board member, Joe Scherer, stated the reason the joint board came up, was because Basehor's chairman attended a county planning meeting and was informed he did not have a say what was going on within the three mile radius without forming a board. The joint board wants to be a board with planning powers not just an advisory board.

Following a discussion between Odle and Pfannenstiel as to whether the comprehensive plan should be finalized before the Board is formed, Mayor Bettin proposed he be allowed to pursue the Advisory Board with joint membership and make contact with the county commissioners. Wilderson agreed, he felt the plan will be finished before the Board is enacted.

J. Odle moved to proceed with forming the Advisory Board and pursue forming a joint planning board. C. Wilderson seconded the motion. Wilderson, Barlow, Odle-Aye. Pfannenstiel-Nay. Motion Carried 3-1.

CRESTWOOD DRAINAGE COMPLAINTS - Henderson reported the plat for Crestwood Subdivision shows the drainage areas, but since the City has never maintained the easements, the Kansas Statutes state the municipality has no liability since the problem is created by natural drainage.

Planning member, Bob Vervaecke, stated two years ago when the plat came before the commission, the engineer stated there will be rock or vegetation installed to control erosion.

Pfannenstiel noted that last month the Council moved to withhold all permits until the drainage problems were addressed. He feels the band should be removed except the lots that are directly effected.

A motion was made by J. Pfannenstiel to lift the building permit ban on all lots. The motion died for lack of second.

J. Odle moved to hold the ban on all building permits. J. Barlow seconded the motion. Discussion Followed. Barlow and Odle-Aye. Wilderson, Pfannenstiel, Bettin-Nay. Motion failed 2-3.

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to remove the building permit ban except on lots 71 and 72 subject to engineer approval. Wilderson, Pfannenstiel-Aye. Barlow, Odle, Bettin-Nay. Motion failed 2-3.

J. Pfannenstiel moved to authorize the building permit for lot 43 be issued. Motion died for lack of second.

C. Wilderson moved to authorize the issuance of building permit for lot 43 subject to approval from the city engineer. J. Pfannenstiel seconded the motion. Following discussion, Pfannenstiel withdrew his second. Motion died for lack of second.

Pfannenstiel moved to authorize the city clerk to issue the building permit for lot 43 subject to routine inspection of other lots. Motion died for lack of second.

Final consensus was to leave the original motion that was made in May 1995 as is.

SUBDIVISION PROCEDURES - Henderson requested this topic be postponed until the June meeting when Thompson returns.

EXECUTIVE SESSION

Mayor Bettin entertained a motion to adjourn into executive session.

A motion was made by J. Barlow and seconded by C. Wilderson to adjourn into a twenty minute executive session to discuss personnel and pending litigation. All Aye. Motion Carried 4-0. (9:30 PM)

Council reconvened into regular session at 9:50 PM with Mayor Bettin announced that no action will be taken at this time.

MAYOR'S REPORT

CHANGE MEETING TIME - Mayor Bettin requested moved the meeting time from 7:30 to 7:00 PM. Barlow stated he had a hard time making a 7:30 time. Bettin noted the time would remain at 7:30 PM.

EMPLOYEE APPOINTMENTS - Mayor Bettin made a blanket appointment of all current city employees for another year.

A motion was made by J. Pfannenstiel and seconded by J. Barlow to approve the blanket appointments of all current full-time and part-time employees. All Aye. Motion Carried 4-0.

COUNCIL MEMBER APPOINTMENT - Mayor Bettin asked that Robert Vervaecke be appointed to the vacant council position.

J. Odle moved to accept the appointment of Robert Vervaecke as a city council member. J. Barlow seconded the motion. All Aye. Motion Carried 4-0.

PLANNING COMMISSION APPOINTMENTS - Peggy Cochran and Burl Gratny were submitted by Mayor Bettin as new appointments to the planning commission.

J. Pfannenstiel moved to appoint Peggy Cochran and Burl Gratny to fill the vacant positions on the Planning Commission. J. Odle seconded the motion. All Aye. Motion Carried 4-0.

BOARD OF ZONING APPEALS APPOINTMENT - Mayor Bettin submitted Joe Scherer's name before the Council to be appointed to fill the vacant position of Helen Godard.

It was moved and seconded by J. Pfannenstiel and J. Odle to approve the appointment of Joe Scherer to the Board of Zoning Appeals. All Aye. Motion Carried 4-0.

CONTRACT APPOINTMENTS - Tabled until the July meeting.

EMPLOYEE WAGE INCREASES - Tabled until the July meeting.

JOSEPH ODLE

CHARLES WILDERSON

JERRY BARLOW

Extended a welcome to the new board member, Bob Vervaecke, and expressed that he was an excellent choice for the appointment.

JOHN PFANNENSTIEL

OTHER BUSINESS

Robert Vervaecke, Joe Scherer, Burl Gratny and Peggy Cochran received Oath of Office from city clerk, Mary Mogle.

ADJOURNMENT

There being no further business to discuss (thank GOD), Mayor Bettin entertained a motion to adjourn. Odle and Barlow moved to adjourn. All Aye. Motion Carried 4-0. Meeting was adjourned.

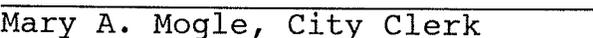
Submitted for Council approval without corrections
this 17th day of July, 1995.


Bryce D. Bettin, Mayor


Mary A. Mogle, City Clerk

Submitted for Council approval with corrections this
17th day of July, 1995.


Bryce D. Bettin, Mayor


Mary A. Mogle, City Clerk