MINUTES

BASEHOR CITY COUNCIL
September 18, 1995
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: MAYOR BRYCE D. BETTIN

MEMBERS PRESENT: Pres. Charles Wilderson, Jerry Barlow, Joe Odle, John Pfannenstiel and Robert Vervaecke

Others Present: John Thompson, Atty. Cecil Kingsley, Eng.
Mary Mogle, City Clk Bill Mogle, WWTO
Joe Scherer, PC Rep. Jane Scherer, Treas.
Citizens of Basehor

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Mayor Bettin called the monthly meeting of the Basehor City Council to order at 7:30 PM. Roll call was taken with all members present.

APPROVAL OF MINUTES

A motion was made by J. Pfannenstiel and seconded by J. Odle to approve the Minutes of August 24th and August 29th. as written. All Aye. Motion Carried 5-0.

APPROVAL OF TREASURER'S REPORT

INTRAFUND TRANSFER - City treasurer, Jane Scherer, requested an Intrafund Transfer to allow for disbursements within the Drug Task Force fund. Council unanimously agreed to the transfer.

MIP TRANSFER - The treasurer requested a transfer of $13,132.50 be made from the Municipal Investment Pool to the State Treasurer Office to pay for the Bond & Interest payment due November 1, 1995. The payment will be used toward the 1985 Internal Improvement Bond and the 1993 General Obligation Bonds. Council agreed to the transfer.

TREASURERS REPORT & INVESTMENTS - C. Wilderson moved to approve the August 1995 Treasurer's Report as submitted and to reinvest CD #10426 at the highest yield available for a period of one year. R. Vervaecke seconded the motion. All Aye. Motion Carried 5-0.

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by J. Barlow to approve the August 1995 Municipal Court Report as submitted. C. Wilderson seconded the motion. All Aye. Motion Carried 5-0.

SCANNED

2-27-07 lt

CITIZENS AND PETITIONS

MARC - Dorothy Pope, representative for MARC, appeared to give the City Council a brief synopsis of what MARC's realm of duties are. Mrs. Pope pasted out brochures to all Council members. She noted that MARC is funded by local contributions and match grants. MARC has been beneficial to the City of Basehor and Leavenworth County with their transportation planning and emergency service programs. Pope gave an open invitation to the Council to contact her if they have any questions or needs.

WELLINGTON PLACE - Marsha Piersol, representative for Wellington Place Subdivision, presented a petition requesting "Children At Play" and "Dead End" signs be placed on Wellington Place Drive. It is her understanding that when a "Children At Play" sign is installed the speed limit automatically is reduced to 20 MPH. Chief Weston confirmed her statement.

A motion was made by J. Odle and seconded by J. Pfannenstiel to install a "Children At Play" and "Dead End" sign on Wellington Place Drive as requested. All Aye. Motion Carried 5-0.

PARK ADVISORY BOARD

MOVE LAGOON GATE - Mary Ohler and Judy Goens, Park Advisory Board, were present to request the city allow them to move the north lagoon gate back one hundred feet to the north and install a cable fence along the lagoon road to the gate. The objective is to detour vehicle traffic. The Park Association will bear all costs.

Councilman Odle stated an 8 Ft. fence is needed around the lagoon system and the east side of the park property. The lagoon discharges into the creek and is currently accessible to the park patrons. This is a liability for the City.

The longevity of the north lagoon was questioned by Wilderson. Engineer, Cecil Kingsley, noted it is the City's responsibility to keep the public safe. He recommended fencing the lagoon proper and along the creek. It was Kingsley opinion that the north lagoon will be in operation for another 1-3 years.

A motion was made by J. Pfannenstiel and seconded by J. Barlow to move the existing gate back 100 Ft. north, install a "transitional" (temporary) fence with the Park Association paying for the improvements. Pfannenstiel, Vervaecke and Barlow-Aye. Odle and Wilderson-No. Motion Carried 3-2.

It was moved and seconded by C. Wilderson and R. Vervaecke to compile costs to enclose the lagoon and stream. All Aye. Motion Carried 5-0.

Councilman Vervaecke requested the Chief of Police make a recommendation to reduce foot traffic into the lagoon property.

CITY ENGINEER

PROJECT UPDATES - Kingsley reported Sewer District #12 is coming along and should be ready to sod and seed by the middle of October. His staff is also in the process of completing reports regarding Wellington Place and Sewer Facility Study.

Kingsley noted KDHE is insisting that Basehor be involved in the Wolf Creek Water Shed Basin project. He will be attending a meeting on Wednesday regarding the current study being performed by the County. Kingsley advised the Council to come to a decision on whether or not the Wolf Creek project is in the best interest of the City. Basehor is unique in the fact that they have both Wolf Creek and Stranger Creek Water Shed Basins in their area.

CRESTWOOD SUBDIVISION - Kingsley reported the drawing submitted by Bruce Browne to correct the drainage problems in Crestwood Subdivision is acceptable.

Gene and Paul Dent were present. They requested the building permit they applied for three months ago be granted since they have complied with the City's request. Gene Dent anticipates the work be completed in approximately 2-3 weeks. He noted that weather is becoming a factor at this time. Mayor Bettin noted that agreements to pay labor costs have gone out to the two affected property owners but have not been received to date.

J. Odle moved to accept the engineers plan as submitted. J. Barlow seconded the motion. All Aye. Motion Carried 5-0.

A motion was made by J. Odle and seconded by C. Wilderson to lift the ban on the building permit to Dencorp, Inc. All Aye. Motion Carried 5-0.

PLANNING COMMISSION

COMPREHENSIVE PLAN - Planning member, Joe Scherer, invited City Council to attend their meeting on the 28th day of September, 1995. They will be discussing the final chapters of the comprehensive plan.

OTHER BUSINESS - John Novak questioned why a property owner located at 150th & State Ave. is selling junk from a vacant garage without a permit.

Mayor Bettin suggested adjacent property owners come in and sign a complaint.

Mr. Novak also inquired as to why the City is allowing used cars for sale to be displayed at the shopping center.

Chief Weston noted he has already addressed that problem with the owner of the shopping center and will not be allowed in the future.

ANIMAL CONTROL OFFICER

DOG RUNS - Tabled until the November meeting.

CHIEF OF POLICE

HOMECOMING PARADE - Councilman Wilderson asked that the Basehor Police Department assist with the Homecoming Parade on September 29th. Weston noted he has already scheduled officers for the parade and game.

BASEHOR-LINWOOD USD #458

ENVIRONMENTAL LAB - Associate superintendent, David Pendleton, informed Council the school district would like to obtain the north four acres of park property for an Environmental Lab. In return the school would construct a shelter house on the city's park property. The estimated cost will be approximately $10,000.00. Pendleton noted the lab would be open to the public during park hours.

Odle noted the Council is debating selling something that is not theirs to sell-the park belongs to the citizens of Basehor. He suggested taking the matter to the vote of the public.

Other topics of discussion:

*Share costs with City to fence area. Gravel entrance and parking area.

*Would the City be given first option to buy the property back at the initial cost if the school decides to sell in the future.

*City retaining ownership and allowing the school to utilize the back four acres for the environmental lab.

*Offer long term lease.

*Have City pay off park property and apply for grant on their own.

Council unanimously agreed to table the matter for further study and formal recommendation from the Park Advisory Board and input from residents of Basehor.

CITY ATTORNEY

CABLE FRANCHISE ORD. - City Attorney, John Thompson, presented Council with a draft ordinance adopting the franchise transfer from Douglas Cable to Galaxy Cable.

Thompson noted currently the City is receiving 3% franchise on basic service only. The attorney suggested collecting 5% on all services including premium channels. The only downfall to this method is that cable users will be directly assessed the increase.

Barlow questioned if the company was going to honor Section 9 which calls for a local office in Basehor. Thompson noted the company feels it is not economical to have a local office since they have service technicians that live in the general vicinity.

Council requested channel selection, costs and service level be provided to them prior to voting on the agreement.

Mayor Bettin asked Council to give him input during the month so the contract can be finalized in November.

WELLINGTON PLACE SUBDIVISION - Thompson reported Miles and the City of Basehor have come to an agreement as to how the streets will be repaired. The matter of sewer repairs have still not been resolved. BG Consultants firm has provided the city attorney with a list of properties that are affected. The engineering cost estimate will be sent to him today. According to the city engineer the sewer main is in good shape and that service connections will be discussed in executive session later in the meeting. Thompson went on record stating he has spent his efforts in solving the matter rather than litigating. He does not feel that litigation is necessary and urges the Council to make a decision since he is under a deadline with District Court.

Wellington Place property owners asked that there be better communications and questioned who will have to pay for the service connection repairs. They felt developer, Gary Wells, has been uncooperative in solving their problems.

Thompson noted the connection is not in the jurisdiction of the City but is the responsibility of the residents. It is a civil matter. Thompson noted that communications had

to be kept to a minimum so that negotiations were not placed at risk.

Mrs. Piersol commented that her builder should be responsible for the damages and some property owners still need rock at the end of their driveways.

Richard Patrick requested that the property owners be notified as soon as possible so they can make a decision to hire an attorney.

Thompson assured them he would send letters to the affected property owners as soon as possible.

SUBDIVISION PROCEDURES ORDINANCE - Thompson reported he has drafted an ordinance changing some language and ordering the televising of new lines in the Subdivision Procedures, Section 3.06. Thompson suggested a public hearing be held with the Planning Commission regarding the televising of lines since it was not discussed at the first hearing. Thompson asked Council to review the draft for consideration at the November meeting.

THIRY LAWSUIT - Thompson submitted a copy of the THIRY vs KDOT lawsuit for Council's viewing.

EXECUTIVE SESSION - Thompson requested an executive session be held later in the meeting.

MAYOR'S REPORT

OFFICIAL NEWSPAPER - Mayor Bettin appointed the Basehor Sentinel as the official city newspaper for another year. Council uanimously agreed.

APPOINTMENTS/RESIGNATION - An announcement was made by Mayor Bettin that the building inspector, Michael Bilyk, officially resigned effective September 15, 1995. He is in the process of taking applications for the position.

COMPUTER PURCHASE - Tabled until further notice.

QUORUM REQUIREMENTS - Mayor Bettin requested the quorum requirement be changed from three to four. He feels that more Councilmembers would be able to attend organizational type worksessions, training seminar and conferences if they could collectively attend.

A motion was made by J. Pfannenstiel and seconded by J. Odle to authorize the city attorney to draft an ordinance changing the quorum requirements from three to four members.

ROBERT VERVAECKE

RECYCLING BIN - Councilman Vervaecke questioned why the recycling bin has not been moved from in front of city hall.

Barlow along with the park board did not feel the bin was unsightly. Park board chairman, Mary Ohler, noted the can bin has generated $11,481.31 which has benefited the park significantly.

EXECUTIVE SESSION

C. Wilderson moved to adjourn into a twenty minute executive session to confer with legal counsel regarding pending litigation. R. Vervaecke seconded the motion. All Aye. Motion Carried 5-0.

Fifteen minutes later, Mayor Bettin announced the regular meeting was back in session with no action being taken during executive session.

ADJOURNMENT

There being no further business to discuss, a motion was made by J. Odle and seconded by J. Barlow to adjourn the monthly meeting. All Aye. Motion Carried 5-0.

Submitted for Council approval this 16th day of October, 1995 with/without corrections.
(circle one)

Bryce D. Bettin, Mayor

Mary A. Magle, City Clerk

August 25, 1995

Mayor Bettin
Basehor City Hall
2620 North 155th Street
Basehor, Kansas 66007

Mayor Bettin:

Enclosed is a petition from the residents of Wellington Place Subdivision, Basehor, Kansas, requesting the installation of two street signs in the subdivision. We feel that these signs will help deter any unnecessary traffic, and also help protect our small children from possible harm.

While obtaining signatures for the two signs mentioned above, there were several requests made to also have a **"Speed Limit"** sign installed near the entrance.

Please review our request with the necessary people, and let us know your decision at your earliest convenience. Feel free to contact Marcia Peirsol, 15440 Wellington Place, 753-5300 (during the day), and 724-2715 (evenings) regarding this request.

Thank you for your cooperation.

Sincerely,

Marcia Peirsol

Residents of Wellington Place Subdivision

August 25, 1995

We the undersigned, residents of Wellington Place Subdivision, Basehor, Kansas, would like to request that the following signs be installed near the entrance of the subdivision:

> Approximately 50 feet from the entrance to the subdivision a **"Dead End"** sign be installed.
>
> Approximately 200 feet from the entrance a **"Children At Play"** sign be installed.

We feel that the installation of these two signs would deter any unnecessary traffic into the addition, as well as, help protect the safety of our children.

Your consideration would be greatly appreciated.

Pat Walter
Shena D Clinton
Arthur C. Wells
Cheryl A. Wells
Lena Mayberry
Karen Conley
Robert Kuebelbeck
Louise Venwacke
William L Clark
Frances Clark
Wendy Patrick
Rose M Painter
Marcia Peirsol

Charles E. Klimcak
Mary Lou Klimcak
Sharon Kuebelbeck
Jeff Jenkin
(NOT A THROUGH STREET)
Peggy Cochran
Don Cochran
Susan Jenkins
Betty L Higgins
William R. Higgins
Ronda Venwacke / Bob Venwacke
Raymond E. Fehr