

MINUTES

**BASEHOR CITY COUNCIL
November 21, 1994
7:30 P.M.
Basehor City Hall**

OFFICIAL PRESIDING: MAYOR JOSEPH P. ODLE

**MEMBERS PRESENT: JERRY BARLOW, JOHN NOVAK, JOHN PFANNENSTIEL
AND CHARLES WILDERSON**

OTHERS PRESENT: Mary Mogle, City Clerk John Thompson, Atty
Bruce Browne, PE Jane Scherer, Treas.
Bill Mogle, WWTO Vince Weston, COP
Pat Massingill, A/Clrk Citizens of Basehor

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The monthly meeting of the Basehor City Council was called to order by Mayor Odle at 7:35 PM with all members present. Pledge of Allegiance was recited.

APPROVAL OF MINUTES

It was moved and seconded by J. Pfannenstiel and C. Wilderson to approve the Minutes of October 17, 1994 Council Meeting, October 24, 1994 Worksession, November 7, 1994 Telephone Polls, November 17, 1994 Telephone Poll, November 17, 1994 Special Meeting. All Aye. Motion Carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

C. Wilderson moved to approve the October 1994 Treasurer's report as presented. J. Novak seconded the motion. All Aye. Motion Carried 4-0.

It was moved and seconded by C. Wilderson and J. Novak to reinvest CD #10141 for six months with Citizens Savings and Loan. All Aye. Motion Carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by J. Barlow and seconded by J. Pfannenstiel to approve the October 1994 Municipal Court Report as submitted. Motion passed unanimously in favor 4-0.

SCANNED

3-2-7 lt

PARK ADVISORY BOARD

SHELTER HOUSE GRANT - Chairman, Mary Ohler, requested authorization from the Council to proceed with filing an application with Kansas Dept. of Parks and Wildlife for a 50% matching grant. The grant will be used for a 30x60 metal shelter house. Dr. Pendleton has agreed to write the grant for the Association free of charge. The Basehor Park Association will be providing the matching funds and inkind services. The approximate cost is not known at this time.

It was moved and seconded by J. Pfannenstiel to grant the request for Dr. Pendleton to write the grant for a park shelter. J. Novak seconded the motion. All Aye. Motion Carried 4-0.

PLANNING COMMISSION

SCHERER SUBDIVISION - The Planning Board recommended approval of the final plat for Scherer's Subdivision located at 150th & Chestnut.

Jeff Scherer noted according to Consolidated Water District #1 a 4" water line will be installed on Chestnut east to 150th Street.

Lois Fulkerson reported the water company has installed a 6" line on Chestnut east to Sommerfields property.

Odle noted 152nd Street is very fragile and wants the developers to be responsible for any repairs caused by damage due to development.

Councilman Pfannenstiel was not comfortable with the small line and requested a letter from the water company be sent to the Council stating their intentions.

Mayor Odle suggested granting approval subject to the water company providing written documentation stating they will install a 4" water line to Scherer Subdivision.

J. Pfannenstiel moved to approve Scherer's Subdivision provided written documentation from the water company stating a 4" water line will be installed to the subdivision along with the installation of a fire hydrant. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

BRANDON'S SUBDIVISION - A request was made by the Planning Board to approve Brandon's Subdivision located at 152nd and Chestnut.

Realtor, Lois Fulkerson, questioned the City as to how they could make the developer responsible for the repairs to a street. And how the city was going to know if it was the developer's contractors who actually caused the damage.

Pfannenstiel addressed the attorney for advice. Thompson informed the Council and Mrs. Fulkerson the City has every right and a duty to protect their existing streets. The Council could make the developer provide a bond if need be.

Odle stated as soon as the project is started he will have the on duty officer checking the street on a routine basis to make sure the streets are not damaged by the heavy equipment.

A motion was made by J. Pfannenstiel to approve Brandon Subdivision with the stipulation that any costs incurred by damage to 152nd Street (due to development and construction) will be beard by the developer. J. Novak seconded the motion. All Aye. Motion Carried 4-0.

CITY ENGINEER

WASTEWATER REPORT - Engineer Browne, submitted Report II covering ways to address the requirements placed on the City by Kansas Department of Health & Environment regarding ammonia levels. Browne recommended the Council follow the summary and review the cost estimates on page 10. It is the recommendation of Browne to consider the "Interim Alternate" plan. He suggested the Council take the report under advisement and authorize him to send the report to KDHE for review and approval.

Various methods of upgrade were discussed, such as an oxidation ditch. Browne noted "Interim Alternate" could be on line some time in August if the funds are available. The upgrade project for both north and south lagoons is estimated to cost approximately \$131,000.00. He noted the approach design limits have not yet been reached but the water quality is poor. The influent pipe gets clogged because of build up of solids.

J. Novak, moved to send the report to KDHE for advisement. ^{Barlow} Browne second the motion. Wilderson and Pfannenstiel voted-No, Novak and Barlow-Yes. Mayor Odle broke the tie by voting Yes. Motion Carried 3-2.

*12/1/94
motion changed
from Browne to
Barlow. All
aye*

Councilman Wilderson noted the Wolf Creek Watershed

Basin is not addressed in Report II. Browne stated his main concern while preparing this report was to address KDHE's new requirements and that "Alternate B" plan refers to the Wolf Creek Watershed District.

SEWER DISTRICT #12 BILLS - Browne submitted for payment two bills from Western Industrial Mechanical two bills for materials used in the construction of Sewer District #12.

J. Pfannenstiel moved to pay the bills when the funds become available. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

LIFT STATION #1 - A report was given by engineer Browne regarding the recent repairs made to the lift station located at 155th & Landauer. Browne noted the lift station was down and had to have major repairs. Browne informed the Council the new pump station will be ready for installation the end of December.

Sharon Herdman, 15422 Chestnut, requested the area be flushed since the neighborhood children "crawdad" down by the culvert. She realizes the children should not be down there, but for their safety she asked that the City make arrangements to have the ditch and culvert flushed. Mayor Odle and engineer Browne assured Mrs. Herdman the City will do what ever is necessary to correct the matter.

CITY CLERK

SNOW REMOVAL BIDS - Clerk Mogle opened the sealed bids as follows:

DIGGER JIM'S - (3) Trucks w/ blades
Insurance Provided
\$75/hr. per truck

TOM'S OUTDOOR MAINTENANCE - (2) Trucks w/ blades
Insurance Provided
\$40/hr. per truck

A motion was made by C. Wilderson and seconded by J. Barlow to accept the bid from Tom's Outdoor Maintenance for (3) years at \$40/hr per truck. All Aye. Motion Carried 4-0.

SALT & SAND SPREADING - Only was sealed bid was received. It was as follows:

DIGGER JIM'S - Apply to 11 3/4 Miles of streets
15 Tons of Salt/Sand with a mix of 4-1
\$900 per call out

Council felt this amount was too high and suggested rebidding. Jim Manderschied, owner of Digger Jim's, suggested charging by the ton rather than by the call-out. That way if the City just wanted to salt/sand the inter-sections, it would not cost them \$900.00. Council was in agreement.

J. Novak moved and J. Pfannenstiel seconded the motion to award a (3) year bid to Digger Jim's at \$60 per ton for salt/sand spreading. All Aye. Motion Carried 4-0.

PLAT REVIEW FEES - Mogle submitted a written report of the figures she compiled regarding actual costs to review preliminary plats, final plats, rezoning and special use permits as requested in the October meeting.

Mogle noted while she was attending school in Wichita, that she asked several third class city clerks what they charged. The majority informed her there fees ranged from \$35 to \$125. However, each clerk noted the fees were too low, but their Council's did not want to discourage development through high fees. Mogle asked Council to keep the method of assessment simple for clerical purposes and also suggested referring this matter to the planning commission for discussion.

John Novak asked that Mogle change the figures for clerical staff on her report from \$8.50 to \$10.00 per application.

It was the consensus of the Council to refer this matter to the Planning Commission for review and recommendation.

CLERICAL HELP WANTED - Mogle requested Council's permission to advertise and hire another part-time clerk to help with municipal court and clerical duties. She noted the wages were figured in the 1995 budget.

A motion was made by J. Pfannenstiel and seconded by J. Barlow to proceed with hiring a part time clerk. All Aye. Motion Carried 4-0.

CITIZENS AND PETITIONS

JUDY ROCKWELL - Judy Rockwell appeared before the City Council to get the Council's feelings on whether or not they

would consider annexing a small piece of property north of Meyer Drive and west of 155th Terrace. The property will be platted for 8-10 homes.

Thompson informed Mrs. Rockwell, she would have to first file a petition for annexation and submit it before the planning commission.

Councilman Novak stated that the same request was made by another developer a month ago and was turned down by the City. Councilman Pfannenstiel corrected Novak in stating the Council voted to approve it but later that month the developer withdrew his request. Pfannenstiel noted he was not opposed to the annexation as long as there was adequate sewers available.

Council unanimously agreed to send the annexation request to the planning commission for study.

CHIEF OF POLICE

COPS FAST PROGRAM - Chief of Police, Vince Weston, appeared before Council requesting permission to apply for a grant which would pay up to 75% of an officers salary and benefits for three years. The grant has been made available through the new Crime Bill. Weston noted the job has to be advertised as a three year term and that the City is an equal opportunity employer.

J. Novak moved to submit the grant for an additional police officer as stipulated in the COPS FAST Program. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

CITY ATTORNEY

SEWER DISTRICT #12 - City attorney, John Thompson, submitted for Council approval a three year temporary note to First State Bank & Trust in the amount of \$215,700.00 for Sewer District #12. Thompson noted at the end of the three years the notes will roll over into municipal bonds.

A motion was made by C. Wilderson and seconded by J. Novak to approve the temporary notes in the amount of \$215,700.00 with First State Bank & Trust. All Aye. Motion Carried 4-0.

STOP SIGN ORDINANCE - Thompson submitted a stop sign ordinance for the placement of signs at 156th & Poplar, 156th Terrace & Poplar and 155th Terrace & Poplar. This request was made by the Chief of Police due to an accident involving

a school bus and a car.

It was moved and seconded by J. Novak and J. Barlow to approve the Stop Sign Ordinance as submitted. All Aye. Motion Carried 4-0.

CHARTER ORDINANCE - A Charter Ordinance to exempt from the tax lid was submitted by Thompson at the direction of the City Council in October 1994. Thompson went on to say he did not recommend adopting this ordinance at this time since the new Governor's format is to change the lid structure in the 1995 session. He noted the League of Kansas Municipalities also suggested postponing the decision until they see what's going to happen. By passing this ordinance it is subject to a sixty day protest period. After which time the Council has the obligation to place the matter on the ballot or disban.

C. Wilderson moved to adopt the Charter Ordinance as submitted. J. Pfannenstiel seconded the motion. Wilderson and Pfannenstiel-Yes Barlow and Novak-No Mayor Odle broke the tie and voted "No". Motion Failed 3-2.

MAYOR'S REPORT

COUNCIL MEMBER APPOINTMENT - Mayor Odle submitted the name of Bryce Bettin to fill the term of Jeff Scherer who resigned in October 1994.

J. Novak moved to accept the appointment of Bryce Bettin to fill the term of Jeff Scherer. J. Barlow seconded the motion. All Aye. Motion Carried 4-0.

PLANNING COMMISSION APPOINTMENT - The appointments will be delayed until the December meeting.

EXECUTIVE SESSION

Mayor Odle requested a ten minute executive session to discuss land acquisition and possible litigation.

J. Novak and J. Barlow moved to convene into executive session as stipulated. All Aye. Motion Carried 4-0.
(9:10 PM)

At 9:20 PM, the City Council reconvened into regular session. Mayor Odle noted negotiations for an easement for the new sewer district will continue and that no other action was taken.

JERRY BARLOW

JOHN NOVAK

RESIGNATION - Councilman Novak read his letter of resignation. He noted that he has moved out side the city limits which no longer qualifies him to be a Council member.

Mayor Odle accepted his resignation with reluctance, a motion was made by C. Wilderson and J. Barlow to accept the resignation of John Novak. All Aye. Motion Carried 4-0.

JOHN PFANNENSTIEL

COMPREHENSIVE PLAN - Pfannenstiel requested Council approval for the Planning Board to start meeting twice a month to compile and update the balance of the comprehensive plan. He noted the funds are available in the 1995 budget.

J. Pfannenstiel moved to authorize the Planning Commission to meet in a worksession on a monthly basis until the comprehensive plan is completed. C. Wilderson seconded the motion. All Aye. Motion Carried 4-0.

STREET STANDARDS - The Comprehensive plan conflicts with the subdivision street standards where it allows driveways to access onto collector streets. Pfannenstiel requested this matter be referred back to the planning board for clarification.

ETHICS POLICY - Postponed until the December meeting.

CHARLES WILDERSON

SPECIAL PRESENTATION

At this time, Mayor Odle, presented a plaque to John Novak for his years of service to the City of Basehor as a planning commission and city council member. Mr. Novak has been involved in the city government since 1978.

ADJOURNMENT

There being no further business to discuss, J. Barlow moved to adjourn the meeting. C. Wilderson seconded the motion. All Aye. Motion Carried.

\ Approved this 14th day of December, 1994 without
corrections.

X Joseph P. Odle
Joseph P. Odle, Mayor
Mary A. Mogle
Mary A. Mogle, City Clerk

Approved this _____ day of _____, 1994 without
corrections.

Joseph P. Odle
Joseph P. Odle, Mayor
Mary A. Mogle
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