

MINUTES

BASEHOR CITY COUNCIL
October 18, 1993
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: PRESIDENT JERRY B. BARLOW

MEMBERS PRESENT: John Novak, John Pfannenstiel
Charles Wilderson and Jeff Scherer

Others Present: Mary Mogle, Clerk John Thompson, Atty.
Jane Scherer, Treas. Vince Weston, COP
Bill Mogle, WWTO Bruce Browne, Eng.
Citizens: Bob Skaggs, Bob Bryan and
Bob Vervaecke

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The meeting of October 20, 1993 was called to order by President Jerry Barlow. Pledge of Allegiance was recited followed by roll call. All members were present. Mayor Odle was absent due to illness.

APPROVAL OF MINUTES

J. Pfannenstiel moved to approve the Minutes of September 20th and October 4, 1993 as written. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

Councilman Wilderson asked for clarification as to why the Minutes did not reflect Jeff Scherer being appointed to the street finance committee.

Clerk Mogle reported that only two members are allowed to serve on a committee as not to violate the Open Meetings Act. Three members would constitute a quorum.

APPROVAL OF TREASURER'S REPORT

Councilman Scherer questioned payment to TSC Stores for \$299.00. Clerk reported the expenditure is for Wilson and Mogle's clothing allowance per the employee benefit ordinance and a part.

Councilman Wilderson questioned the status of the Municipal Investment Pool. Treasurer, Jane Scherer, explained how the investment pool operated. For every transaction made with the State pool, the bank will be charging a \$15.00 transfer (wire) fee. The City Council must designate a maturity date. If there is an early withdraw within the pool, the City would be effected.

SCANNED

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Scherer explained steps she has to take to find out benchmark rates with area banks and the investment pool. She felt it would cost the city money in the long run to invest in the pool. First State Bank is offering 3.70% for two years while the Municipal Investment Pool is 3.73%.

Councilman Novak suggested investing the funds back into certificates of deposit.

Councilman Wilderson directed the treasurer to check into the new short and long term rates with the State before the Board makes their final decision. Treasurer added that information should be available in one to two months.

A motion was made by J. Pfannenstiel and second by C. Wilderson to approve the September 1993 Treasurer's report as submitted. All Aye. Motion Passed 4-0.

INTERFUND TRANSFERS - Treasurer reported the need to transfer funds was due to the fact that the CPA works from net wages and she works from gross wages. She explained the transfers were not increases, just adjustments within the funds (see attached).

It was moved and second by J. Novak and J. Pfannenstiel to approve the Interfund Transfers as submitted. All Aye. Motion Carried 4-0.

APPROVAL OF MUNICIPAL COURT REPORT

C. Wilderson moved to approve the September 1993 Municipal Court Report as submitted. J. Scherer second the motion. All Aye. Motion Carried 4-0.

SEWER BENEFIT DISTRICT

Clerk Mogle explained that last month the Board approved a resolution proceeding with the district. This month the Council needs to make a final decision to order the district if they so wish.

Attorney, John Thompson, explained that a boundary map and description has been attached to the resolution as required by law. Engineer Browne physically showed the audience on the district map where the boundaries will encompass. Browne explained this will include additional property belonging to Ray Breuer and Bob Bryan as requested.

Browne explained the large parcel belonging to Don Thompson cannot be included in the district in its entirety.

because it cannot be gravity fed without an additional lift station.

Pfannenstiel expressed concern about including Kelley's and the shopping center in the proposed district. Browne explained he has included those properties in the district because he is certain KDHE will not renew the permit for the present lagoon.

Thompson explained the City can always reduce the district but cannot increase. He informed Council they are obligated to Kelley's to provide sewers. Thompson suggested negotiating a private easement from 155th Street to Kelley's and the shopping center. He explained this procedure is normally purchased for the sum of one dollar or the City has the option to condemn the property if necessary.

Councilman Novak informed the Board he does not want to see any sewer lines deeper than 15 foot anywhere in the city limits.

Browne stated there are still alot of unanswered questions which will be answered through the finalization of the plans. He reminded Council that KDHE still has the ultimate approval in creating and construction of the district.

Clerk Mogle reported there has been absolutely no involvement within the last two months from the affected property owners.

A motion was made by J. Novak to accept the Resolution ordering to proceed with the sewer benefit district. The motion was second by J. Pfannenstiel. All Aye. Motion Carried 4-0.

RESOLUTION 93-03 - A RESOLUTION ORDERING THE CONSTRUCTION OF A SANITARY SEWER TO SERVE PROPERTIES DIRECTLY ABUTTING 155TH STREET, CITY OF BASEHOR AND THE FRONT 250 FEET FOR PROPERTIES EXTENDING BACK FROM 155TH STREET; THE NATURE OF THE IMPROVEMENT, THE ESTIMATED COST, THE DESCRIPTION OF THE IMPROVEMENT DISTRICT, THE METHOD OF ASSESSMENT AND APPORTIONMENT OF COST.

PARK ADVISORY BOARD

PLANNING COMMISSION

CITY CLERK

WEIGHT LIMITS - Clerk Mogle reported she is still compiling information regarding weight limits on city streets. However, she did wish to report that she has received public support for the regulation.

CHIEF OF POLICE

Nothing to report at this time.

CITY ATTORNEY

Attorney, John Thompson, reported to Council they need to proceed with several steps tonight in order to finalize the general obligation bonds. First, they need to adopt an ordinance authorizing the issuance of G. O. Bonds. Second, they need to make a motion to accept the proposal from First State Bank & Trust for the bonds and third, they need to adopt a resolution creating a Capital Projects Fund. This fund allows the placement of the funds into the budget as well as giving the treasurer the authority to pay the bills when they are received.

ORDINANCE - A motion was made by J. Scherer and second by C. Wilderson to adopt the ordinance in its entirety authorizing the issuance of \$100,000.00 in general obligation bonds.

ORD. #263 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$100,000 GENERAL OBLIGATION BONDS, SERIES 1993, OF THE CITY OF BASEHOR, KANSAS UNDER THE AUTHORITY OF K.S.A. 10-101 TO 125, INCLUSIVE, AS AMENDED, AND K.S.A. 12-685 ET SEQ.

SALE OF BONDS - A motion was made by J. Scherer to accept the bid from First State Bank & Trust with a graduated interest rate ranging from 4.25% to 5.25%. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

CAPITAL PROJECTS FUND - It was moved and second by J. Pfannenstiel and second by J. Scherer to adopt the resolution creating a Capital Projects Fund for the placement of the General Obligation Bond monies. Motion passed unanimously in favor of adoption.

RESOLUTION 93-04 - A RESOLUTION CREATING A CAPITAL PROJECTS FUND

ATTORNEY GENERAL OPINION - Thompson reported the Attorney General's Opinion regarding the conflict of interest will not be ready for approximately 10 more working days.

Novak directed Thompson to mailed copies directly to Councilmembers as soon as he receives the A. G.'s opinion.

MAYOR'S REPORT

CABLE REGULATIONS - President Barlow informed Council there is to be a luncheon with Douglas Cable tomorrow at Kelley's. It is an open agenda. Councilman Wilderson stated he will be in attendance.

Barlow asked Wilderson to convey to Douglas Cable that they should set a more convenient time for Council. Barlow also felt the City should enforce their franchise agreement with Douglas Cable by making them have an office in Basehor.

Thompson reported he has filed with the FCC the City's intent to regulate the cable rates per the laws recently passed.

It was also reported by Thompson that the City has a non-exclusive agreement with Douglas Cable therefore allowing the City to negotiate with other cable companies.

Thompson requested permission from the Council to review the franchise agreement and report their options at the November meeting.

Barlow reiterated to Wilderson to invite a Douglas Cable representative to an evening meeting to discuss problems.

JOHN NOVAK

STREET REPAIRS - Novak asked the city clerk when the county was scheduled to start the street repairs. Mogle reported Leavenworth County Dept. of Public Works are to start this weekend if weather allows.

ANNEXATION OF PARK - Novak questioned why the park ground has not been annexed into the city limits of Basehor. Thompson stated he will draft an ordinance and present it to the Council at the November meeting.

FIREWORKS - Concerns were expressed by Novak as to the expenditure of \$2000.00 for fireworks in 1994. He felt the City needed the funds in other areas.

JOHN PFANNENSTIEL

No items to discuss at this time.

CHARLES WILDERSON

MILES SPECIAL USE PERMIT - Wilderson reported he was unable to attend the County Commissioners meeting on October 14th regarding the special use permit for Miles Environmental Company.

OSAGE TIRE - Novak and Weston informed Council they have witnessed numerous truck loads of tires being delivered to Osage Tire. Both expressed concerns that the County was not monitoring this special use permit and that it will become a nuisance for all taxpayers in the County.

JEFF SCHERER

STREET MAINTENANCE - Scherer asked Mogle if any general street maintenance is still being performed. Mogle reported we are out of patch and should be getting some in toward the end of the week. The maintenance staff is currently working on cleaning out ditches and culverts until the weather breaks.

COMPREHENSIVE PLAN - Scherer addressed planning board member, Bob Vervaecke, regarding the planning consultant and the progress on the comprehensive plan.

Vervaeck stated the Board has completed the Plan Use and are now working on ridges and roads.

Scherer felt the expenditures for the consultant are too high and the board members should be doing more of the work themselves.

ADJOURNMENT

There being no further business to discuss, J. Novak moved to adjourn the meeting. J. Scherer second the motion. All Aye. Motion Carried 4-0. Meeting adjourned.

Submitted for Council approval the _____ day of _____, 1993.

Mary A. Mogle,
City Clerk