

**MINUTES  
REGULAR MONTHLY MEETING**

**BASEHOR CITY COUNCIL  
November 15, 1993  
7:30 PM  
Basehor City Hall**

**OFFICIAL PRESIDING: MAYOR JOSEPH P. ODLE**

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

**MEMBERS ABSENT: JEFF SCHERER**

Others Present: Bruce Browne, PE                      John Thompson, Atty.  
Jane Scherer, Treas. Mary Mogle, Clerk  
Bill Mogle, WWTO                      Vince Weston, COP  
Brenda Smith, Sentinel  
Southern Leavenworth Leadership Class  
& Citizens of Basehor

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The meeting of the Basehor City Council was called to order at 7:30 PM by Mayor Joe Odle. Roll call was answered with all members present except Jeff Scherer.

**APPROVAL OF MINUTES**

Councilman Wilderson asked that corrections be made to page six, paragraph 6 changing "Plan to Land" and "ridges to bridges".

J. Barlow moved to approve the October 18, 1993 Minutes with corrections as aforementioned. C. Wilderson second the motion. All Aye. Motion Carried 4-0.

**APPROVAL OF TREASURER'S REPORT**

It was moved and second by J. Novak and J. Pfannenstiel to approve the October 1993 Treasurer's report as submitted. All voted Aye. Motion Carried 4-0.

MUNICIPAL INVESTMENT POOL - Novak stated it was his understanding the transfer fee of \$15 was charged by the bank each time a deposit or withdrawal was made. Mayor Odle also reminded Council that a penalty would be charged for early withdrawal. Treasurer Scherer submitted benchmark rates for First State Bank & the Municipal Investment Pool. Scherer informed Council the State would not have the long/short term rates available until December 1, 1993.

SCANNED

3-1-07 *AS*

A motion was made by C. Wilderson to take no action regarding investments in the Municipal Investment Pool until the December meeting. J. Pfannenstiel second the motion. The vote was unanimously in favor. Passed 4-0.

**APPROVAL OF MUNICIPAL COURT REPORT**

J. Novak made a motion to approve the October 1993 Municipal Court Report as submitted. J. Pfannenstiel second the motion. All voted in favor. Motion Passed 4-0.

**PARK ADVISORY BOARD**

TRASH CANS - Brenda Smith, representing the Park Board, requested the placement of trash cans in the city park. The barrels were a donation from General Motors Plant.

A motion was made by J. Novak and second by J. Barlow to place the donated trash cans in the city park.

REMOVAL OF TREES - Smith requested permission to remove approximately 40 trees from the city park to make room for equipment and spacing purposes.

Mayor Odle commented that he felt the removal of trees was premature since the park site plan is still in the preliminary stage.

Councilman Novak opposed the removal and/or cutting of trees at the park. He felt the reason the city purchased this particular park site was because of the trees. The trees assured wildlife preservation and diminished the cost of purchasing new trees.

Mayor Odle suggested postponing the approval until the December meeting so the Councilmembers would have a chance to visit the park and physically view which trees are marked for removal. All members unanimously agreed.

**PLANNING COMMISSION** (Deferred to later portion of meeting)

**CITY CLERK**

WEIGHT RESTRICTIONS - Clerk Mogle reported she had enclosed three sample ordinances from others city's regarding their methods of restricting weight limits. She explained that several cities are designating truck routes and some are restricting the actual weight to 18,000 pounds. Mogle asked that the passage be postponed to give Council an opportunity to study the samples submitted. All members were in agreement.

**CITY ENGINEER**

PIN OAK ESTATES - Bruce Browne reported there is a stretch of sewer 20 Ft. deep in the Pin Oak Subdivision. He reported they backfilled with dry fill which concerns him. Browne also reported the street base had been laid last Friday and was questionable whether Breuer will be able to pave this year due to the weather.

Mayor Odle stated that both Pin Oak and Wellington Place Subdivisions should be televised prior to the acceptance from the City.

Browne stated he has not received "As Built" plans or their maintenance bond.

SEWER BENEFIT DISTRICT - An update was given by Browne informing Council that all survey information for the new benefit district should be ready this week. The engineering costs will be in the sum of \$17,000.00. The City will still have to wait for State approval prior to commencing the project.

Mayor Odle directed the City Clerk to notify Kelley's Bar & Grill of the proceedings and explain that KDHE may not renew the lagoon permit.

**CITY ATTORNEY**

MORATORIUM - Attorney, John Thompson, notified Council he received the Attorney General's Opinion regarding the temporary moratorium on annexing and subdivisions. Thompson reported the State agreed with Mayor Odle that through the City's police powers the Council has the authority to impose a moratorium.

CONFLICT OF INTEREST (Scherer) - Thompson reported the Attorney General's office has referred the Scherer Conflict of Interest matter over to the Board of Ethics for review. He felt that he should have a response by the next meeting.

**MAYOR'S REPORT**

CRESTWOOD SUBDIVISION - Mayor Odle questioned Browne as to why he allowed Crestwood to directly tie into the old effluent box at the south lagoon when the Council was advised that a new effluent box was going to be installed. Odle stated the City will not accept this location and will block the existing line.

Odle also questioned if Browne had informed the property owner that there would be a monthly charge for the

maintenance of the lift station. Odle felt the the new home-owners should be informed prior to purchasing the property.

Browne stated he would talk to developer, Gene Dent, regarding the effluent box and maintenance fees.

CABLE TELEVISION - Contrary to the dissatisfaction of Council and citizens with Douglas Cable, Mayor Odle felt it was in the best interest of the City of Basehor to negotiate with the cable company for better services. Odle explained Douglas Cable is wanting to extend their franchise by ten years and feels this would be an opportune time to negotiate.

Councilman Wilderson updated the Board regarding his meeting with Douglas Cable back on October 19th.

Councilman Novak urged the Council not to extend the franchise for more than one year at a time.

#### PLANNING COMMISSION

BED & BREAKFAST SPECIAL USE PERMIT - The Board recommends issuance of a three year special use permit to Sandra Mance d/b/a Bedknobs & Biscuits.

A motion was made by J. Novak and second by J. Barlow to approve the three year special use permit to Sandra Mance for a bed & breakfast establishment. All Aye. Motion Carried.

(Planning Chairman, Bryce Bettin, arrived at 8:00 PM)

COMPREHENSIVE PLAN/CONSULTANT - Chairman Bettin clarified for Council the costs already incurred from planning consultant, Bill Keisling. Bettin explained Keisling has only billed \$3,176.33 of the estimated \$8,735.00 for the comprehensive plan. He stated the plan will cover only six areas of the comprehensive plan (because of the costs). The comprehensive plan is about one third complete.

Mayor Odle informed Bettin that on several occasions a councilmember expressed dissatisfaction with Keisling.

Bettin responded by saying the consultant was doing a very professional job. He keeps the board informed of new legislation, reviews plans and plats and makes necessary recommendations.

Councilman Barlow stated when the Council starts hearing complaints on a planning consultants from builders then it shows the consultant is doing his job.

**JOHN NOVAK**

LEASE AGREEMENTS - Novak questioned attorney, John Thompson, as to why the City entered into a five year agreement on the park property when in the past Thompson advised them they could not invest beyond two years.

Thompson explained the park property was purchased within the Cash Basis Law and the contract contained legal language allowing the City to give back the property after a short term if they no longer wished to assume the debt.

**CHARLES WILDERSON**

MILES EXCAVATING - According to Jim Hewitt, County Planning & Zoning, Miles Environmental received approval from the County Commissioners for a five year special use permit with various restrictions.

- 1) No storage of waste on property
- 2) No outside washing
- 3) Pay impact fee for road repair
- 4) Take south route away from schools

According to several in attendance witnessed the company trucks going down Leavenworth and Parallel Road passed the schools on two different occasions this week.

Council directed police chief, Vince Weston, to stop them from traveling by the schools.

**JOHN PFANNENSTIEL**

SIDEWALK GRANT - Councilman Pfannenstiel questioned Clerk Mogle as to the status of the grant submitted in September for the installation of a sidewalk from the grade school west to the park property.

Mogle reported she received a letter confirming the fact that the State received the grant. The State did not note when a final decision would be made.

**ADJOURNMENT**

There being no further business to conduct, J. Novak and J. Barlow moved and second to adjourn the meeting. All Aye. Motion Carried. Meeting Adjourned.

Submitted for Council approval this 20th day of December, 1993.

Mary A. Mogle,  
City Clerk