

BASEHOR CITY COUNCIL
December 20, 1993
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: MAYOR JOSEPH P. ODLE

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

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

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

APPROVAL OF MINUTES

A motion was made by J. Barlow and second by C. Wilderson to approve the November 18, 1993 Minutes as written. All Aye. Motion Carried 5-0.

APPROVAL OF TREASURER'S REPORT

TREASURER'S REPORT - It was moved and seconded by J. Novak and J. Pfannenstiel to approve the November 1993 Treasurer's Report as submitted. All Aye. Motion Carried 5-0.

MUNICIPAL INVESTMENT POOL - Wilderson moved to transfer \$200,000.00 from the money market account to the Municipal Investment Pool for a period of one year (intermediate term). J. Scherer second the motion. All Aye. Motion Carried 5-0.

YEAR-END TRANSFER OF FUNDS - A motion was made by C. Wilderson and second by J. Barlow to transfer \$14,500.00 to the Capital Improvement Fund and \$5,000.00 to the Equipment Reserve fund per the 1993 Budget. All unanimously voted in favor. Motion Carried 5-0.

APPROVAL OF MUNICIPAL COURT REPORT

J. Pfannenstiel moved to approve the November 1993 Municipal Court Report as submitted. J. Barlow second the motion. All Aye. Motion Carried 5-0.

SOLID WASTE BID

Clerk Mogle reported she had received two bids for five year contracts for solid waste pickup and disposal. The bids are as follows (original bids attached for reference).

DEFFENBAUGH DISPOSAL:

- A) \$6.49 per household per month
- B) Refrigerators, air conditions or any other appliance that may contain Chlorofluorocarbon (CFC) and hydrochlorofluorocarbon (HCFC) that are to be disposed of will be collected separately with an additional fee involved due to special handling and the Federal Clean Air Act.
- C) Annual increases will be based on the Consumer Price Index (CPI) and/or negotiated as dictated by unforeseen costs.
- D) All Federal, State and/or Local surcharges or fees imposed during this contract period will be straight passed through the city.

WASTE MANAGEMENT:

- A) \$6.23 per household per month
- B) Appliance containing CFC's will be picked up separately from other bulky items. At the present time there will be no additional charge for this service. However, if at any time an added cost is incurred for this service by Waste Management of Kansas City, this cost will be passed to the resident.
- C) To cover anticipated increased costs of doing business, will increase the monthly charge per household by not more than (5) percent per year on January 1 for each successive year beginning January 1995 for the duration of the contract.

Following a brief discussion, Councilman Novak stated he was very pleased with Deffenbaugh's service over the last five years and moved to accept the bid from Deffenbaugh Disposal based on their previous performance. J. Barlow second the motion. Novak, Wilderson, Barlow and Scherer -Aye. J. Pfannenstiel-No. Motion Carried 4-1.

Clerk Mogle informed Council they need to address the charge in addition to the monthly pickup charge to cover labor and commodities in producing the monthly bills. The current charge is \$1.16 per household.

J. Scherer moved to leave the surcharge at 1.16 per household. J. Novak second the motion. All Aye. Motion Carried 5-0.

PLANNING COMMISSION

MASTERBILT SPAS - Planning Commission recommended Council approval to issue a three year special use permit to

Masterbilt Spa & Assembly Co.

Council discussed why the planning commission approved another special use permit and not a rezoning.

J. Scherer moved to approve the three year special use permit to Masterbilt Spas & Assembly. C. Wilderson second the motion.

Discussion followed. Novak expressed concerns as to why the Board was approving a **three year** special use permit instead of making the property owner rezone for business.

J. Scherer amended his original motion to approve a **one year** special use permit for Masterbilt Spas & Assembly. C. Wilderson second the motion. Barlow, Wilderson, Scherer and Pfannenstiel-Aye. Novak-No. Motion Carried 4-1.

STREET STANDARDS - The Planning Board recommended the following changes be made to the current Street Standards.

1. Elimination of using a sub-base consisting of AB-3. Retaining the requirements of 6 inches of compacted soil compacted to 95% of the field mold density.
2. All streets constructed of asphaltic concrete consist of (2) courses, a base course and a surface course.
3. Compacted Base Course (per specs.)
 - a) Standard & R-O Streets - 6 inches
 - b) Collector/Service Streets - 8 inches
 - c) Arterial Streets - 10 inches
4. Compacted Surface Course (per specs.)
 - a) Standard & R-O Streets - 2 inches
 - b) Collector/Service Streets - 2 inches
 - c) Arterial Streets - 2 inches
5. All streets be constructed of roll back curb & gutter.
6. Utility lines (not limited to sewer, water, gas and electric) placed under a street shall be a minimum depth of (48) inches and a maximum depth of (96) inches. The resulting trench shall be back filled w/ crushed stone and compacted to 95% of the field mold density within the street right of way. Deep services trench risers shall be used as needed.
7. Field inspection shall be required during construction by the City Engineer or a Engineer approved by the City. The cost shall be absorbed by the developer.

The Board reported by making these changes the life expectancy of a new street should be seven to eight years with zero maintenance.

There was some discussion as to if these proposed standards were too extreme and costly for developers. Browne stated the clay soil in this area is hard to deal with and felt stabilization was imperative. Browne recommended an

application of 40 pounds per square yard of fly ash or portland cement.

A motion was made by J. Novak and second by J. Barlow to accept the Planning Commissions recommendations and Browne's recommendation of 40# of fly ash per square yard. Novak, Barlow, Wilderson and Pfannenstiel-Aye. Scherer-No. Motion Carried 4-1.

CITY CLERK

WEIGHT LIMITS - Clerk Mogle stated over the last two months she has researched applying weight restrictions to city streets. Mogle recommended passing an ordinance simply stipulating "No Thru Commercial Trucks and Equipment".

Attorney Thompson recommended entering into an "intergovernmental agreement" with Leavenworth County to coincide with their ordinance currently being enforced on Parallel.

A motion was made by J. Novak and second by J. Barlow to authorize the city attorney to draft an ordinance to present at the January meeting. All Aye. Motion Carried 5-0.

STREET LIGHT - Mogle reported she was contacted by property owner, Lyle Wiley, residing at 15429 Leavenworth Rd., regarding the street light in front of his house. She explained that Mr. Wiley has been paying for the light for many years and will be discontinuing the service the first of the year. Mogle requested the City take over the payment of this light since it will be the only street light located on Leavenworth Road east of 155th Street.

A motion was made by J. Scherer to maintain the street light at 15429 Leavenworth Rd. J. Pfannenstiel second the motion. All Aye. Motion Carried 5-0.

It was moved and second by J. Novak and J. Barlow to contact KP&L to make a recommendation of additional lights from Leavenworth Road to the Basehor city limits. Novak and Barlow-Aye. Scherer, Wilderson and Pfannenstiel-No. Motion Failed 3-2.

FIREWORKS DISPLAY - A 10% discount is given to the City if the 4th of July fireworks are paid for prior to January 1st, reported Clerk Mogle.

Councilman Novak opposed the expenditure based on the fact that the 1994 Budget was going to be tighter than 1993.

Council unanimously agreed to table the matter indefinitely.

CITY ENGINEER

SEWER BENEFIT DISTRICT - Browne reported he will have completed the survey work and plans for the new sewer benefit district by February.

Due to an increase of flow from south Basehor and the age of the existing pump station, a new pump will have to be installed. Browne's written report expressed a preference for a new submersible pump, but since this pump requires an additional easement he has chosen to use a Wetwell mounted pump. The cost will be approximately \$20,800.00. The City will also need to purchase a portable gasoline generator for around \$3,000.00.

Browne noted he is preparing the plans for the pump station replacements as Section 2 of the project. It is his understanding that the cost will be applied to the Sewer Replacement Fund and will not be included in the cost to the benefit district.

MAYOR'S REPORT

SAFE DRINKING WATER ACT (HR3392) - Odle announced the Council has been requested to give a written opinion to Congressman Slattery whether or not they were supporting the proposed "safe drinking water act". This act will give regulatory powers to cities and counties.

Pfannenstiel felt the Board should take no action at this time. Odle stated he will take action personally to oppose the bill. The Mayor felt the County will be too lenient with the water companies.

The Council agreed to take no action at this time.

CEREAL MALT BEVERAGE LICENSE - Mayor Odle requested renewal of cereal malt beverage license to Casey's General Store and John's Grocery for the year 1994.

It was moved and seconded by J. Scherer and J. Pfannenstiel to approve the renewal of cereal malt licenses to Casey's and John's Grocery. All Aye. Motion Carried 5-0.

LIQUOR LICENSE - A request to renew the liquor license to Rumsey's Liquor Store and Kelley's Bar & Grille was made by Mayor Odle.

A motion was made by J. Scherer and second by J. Pfannenstiel to approve the renewal of liquor licenses to Rumsey's Liquor Store and Kelley's Bar & Grille. All Aye. Motion Carried 5-0.

PORT AUTHORITY - A letter was received from the County Commissioners urging the City of Basehor to become a member of the Leavenworth County Port Authority.

Following a brief discussion, J. Novak moved to have the City become a member of the Leavenworth County Port Authority. J. Scherer second the motion. All Aye. Motion Carried 5-0.

APPOINTMENT TO PLANNING BOARD - Mayor Odle asked that the appointment of Tammie O'Donnell to the planning commission be approved.

It was moved and second by J. Scherer and seconded by C. Wilderson to approve the Mayor's appointment of Tammie O'Donnell to the Basehor Planning Commission. All Aye. Motion Carried 5-0.

(Mrs. O'Donnell will be filling the position of John Trehey.)

24-40 HIGHWAY CONTRACTS - Mayor Odle reported KDOT has started the process of purchasing right-of-ways from residents along 24-40 highway. The land will be used to widen the highway into four lanes. In order for the property owners to receive their money the Mayor and City Clerk must sign off on the contracts and easement agreements. Attorney Thompson stated that it is his understanding that the City will not be liable for maintenance or ownership of any land derived from these sales. Thompson suggested the Council give Mayor Odle and the City Clerk authorization to sign all future land acquisition contracts regarding 24-40 Highway project.

It was moved and seconded by J. Pfannenstiel and J. Barlow to give the Mayor and City Clerk authorization to sign the contracts and agreements as necessary. All Aye. Motion Carried 5-0.

JOHN PFANNENSTIEL

No comments at this time.

JERRY BARLOW

No comments at this time.

JOHN NOVAK

CHANGE OF MEETING TIME - Councilman Novak requested consideration to change the Boards meeting time from 7:30 to 7:00 PM. Action was tabled until the January meeting.

OCCUPATIONAL LICENSE - The occupation license needs to

be reworked, stated Councilman Novak. Residents are not complying and feels it is because the penalties are not stiff enough. Novak announced that people are working out of their homes and are "thumbing their nose at the system". He would like to see the penalty increase from the current rate of \$10.00 to \$250.00. Action was tabled until the January meeting.

CHARLES WILDERSON

WASTE MANAGEMENT COMMITTEE - A request was made by Councilman Wilderson to appoint Victor Ziegler to the new County Waste Management Committee.

A motion was made by C. Wilderson and second by J. Novak to appoint Victor Ziegler to represent the City of Basehor on the Leavenworth County Waste Management Committee. All Aye. Motion Carried 5-0.

HOLIDAY LIGHTING CONTEST - Wilderson announced on behalf of the Chamber of Commerce he would like to thank the City of Basehor for their financial participation in the Holiday Lighting Decorating contest this year. Wilderson felt that many more homes were decorated due to the contest.

JEFF SCHERER

No comments at this time.

ADJOURNMENT

J. Novak moved to adjourn the meeting. J. Barlow second the motion. All Aye. There being no further business to discuss the meeting was adjourned.

Submitted for Council approval this 17th day of January, 1994.



Mary A. Mogle,
City Clerk

*Meeting consisted of two tapes.