

Pfannenstiel & Wilder
6-3-91

M I N U T E S

BASEHOR CITY COUNCIL

May 6, 1991

7:30 PM

Basehor City Hall

OFFICIAL PRESIDING: Mayor Joseph P. Odle

COUNCILMEMBERS PRESENT: Pres. John Novak, Mark Grube, Daniel Hubbel, Jerry Barlow and Francis Scherer

Others Present: John Thompson, Atty. Jane Scherer, Treas.
Vince Weston, COP Bill Mogle, WWO
Mary Mogle, Clerk Bruce Brown, Eng.
CITIZENS OF BASEHOR

The meeting was called to order at 7:32 p.m. by Mayor Odle. Roll call followed with all members being present.

APPROVAL OF MINUTES

J. Barlow moved to approve the April 2nd and April 17th Minutes as written. J. Novak second the motion. All voted Aye. Motion Carried (5-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by J. Novak and second by F. Scherer to approve the April 1991 Treasurer's Report, reinvest CD #9070 and pay Mike Bilyk (Bldg. Inspector) 1,131.79 for permits issued from January through April 1991. All Aye. Motion Carried (5-0)

APPROVAL OF MUNICIPAL COURT REPORT

J. Novak moved to approve the April 1991 Municipal Court Report as submitted. All Aye. Motion Carried. (5-0)
Receipts - 2,437.00

RECOGNITION OF OUTGOING COUNCIL

Mayor Odle presented Councilman Grube and Hubbel each with a plaque in appreciation of all the years of loyalty and service they provided to the City of Basehor.

OATH OF OFFICE

At this time, John Novak, John Pfannenstiel and Charles Wilderson were administered the Oath of Office by Mayor Odle.

CITIZENS AND PETITIONS

MARY MCCOY, 15209 Chestnut, was present to present a petition from property owners opposing a city park in their location. Mayor Odle informed Mrs. McCoy the City has already submitted information to the State changing the location from Parallel to Leavenworth Road. The committee will take the petition under advisement.

SCANNED

3-6-07 *St*

BASEHOR PLANNING COMMISSION

EVERETT LAFFOON - Petition 91-002

Mr. Laffoon requested a rezoning from "R" to "B-4". The Board recommends denial based on opposition from area property owners and it does not conform to the area. Mayor Odie detailed the reasons stated in Chairman Pfannenstiel's letter (attached to original minutes).

A motion was made by J. Novak and second by J. Pfannenstiel to accept the Planning Commission's recommendation for denial. All voted unanimously in favor of the denial. (5-0)

LARRY MOLDER - Petition 91-003

Mr. Larry Molder, 14501 Parallel, requested a rezoning from "R" to "B-3". The Board recommends approval of this rezoning request. There was no property owners present in opposition.

It was moved and second by J. Novak and C. Wilderson to approve the Planning Commission's request to rezone the Molder property from "R" to "B-3". All Aye. Motion Carried 5-0.

REZONE ON PARALLEL - Board recommends rezoning properties along Parallel belonging to Joe Stimetz and Neal Miller from "R" to "D-3". They recommend exclusion of properties belonging to Deis, Poggemeyer, Garbrandt and McClure. City Planning Advisor, Bill Kinsling, advised the Board by rezoning vacant property the city loses control at a later date.

Councilman Novak expressed his dislike regarding spot zoning and feels this is what the Planning Commission is proposing.

The Commission explained the McClure property was being excluded because at the time of the Special Use Hearing they expressed that they would be moving into a permanent facility at a later date.

After a brief discussion, F. Scherer moved to accept the advisor and Planning Commission's recommendation to rezone the Stimetz and Miller property excluding all other properties. The motion was second by J. Barlow. Scherer, Barlow, Wilderson and Pfannenstiel voted YES with Novak voting NO - Passed (4-1)

CITY ENGINEER

FLOOD PLAN REVISION - Browne informed Council that FEMA is requesting a certified topography map and as-built plans for the flood zone area in the Landauer Subdivision. He expressed the extensive information being requested will cost approximately \$1200-\$1500 and feels that it is no benefit to the City only to those property owners located in the flood zone. Browne stated the flood hazard does not change, only the map. He also stated the federal government will eventually update the map at no charge.

Mayor Dille's recommendation was to take no action, since the map would eventually be update by FEMA. Pfannenstiel was in total agreement with the Mayor.

It was moved and second by J. Barlow and J. Pfannenstiel to take no further action to update the flood plan map. All voted in favor (0-0)

CITY CLERK

SEWER AND WASTE DELINQUENTS - Clerk submitted a report updating all delinquent accounts. She requested Council schedule a public hearing for 7:00 p.m on June 3, 1991.

Clerk stated there are two accounts which were being assessed a occupied fee when it should have been vacant. However, City Hall was never notified of the change, so therefore, is the City obligated to reduce the bill. It was Council's feeling that we can not be responsible for each homeowner and the bills should remain as charged.

J. Novak and F. Scherer moved to hold the public hearing on June 3, 1991 at 7:00 p.m. All Aye. Motion Passed (5-0)

Mayor Dille recommended the City assess a penalty to those delinquent accounts being turned over to the County. He stated this subject was discussed last year at this time and feels it should be acted upon now for next year. Clerk Nogle responded by saying there are several different ways to assess the penalty, but a flat \$50 fee at the time of certification would be the easiest.

J. Barlow moved to assess a \$100 penalty for all delinquent fees being turned over to the County in 1992. This will take effect beginning May 1, 1991. All voted unanimously in favor. Carried (5-0)

(Official Ordinance to be presented at June meeting)

CITY ATTORNEY

MAINTENANCE RESOLUTION & SEWER RATE INCREASE ORDINANCE - The resolution stipulating a future maintenance fund program and a ordinance enacting a monthly rate increase were presented for final reading.

A motion was made by J. Novak and second by J. Pfannenstiel to approve and accept the resolution and ordinance for second reading and waive the reading. Motion Passed Unanimously (5-0)

ORDINANCE 237 - AN ORDINANCE AMENDING CHAPTER 15, UTILITIES, ARTICLE 11, SEWERS, ESTABLISHING SEWER CHARGES TO USERS.

RESOLUTION 91-01 - A RESOLUTION PROVIDING FOR AN ONGOING SEWER MAINTENANCE PROGRAM.

MAYOR'S REPORT

PLANNING COMMISSION APPOINTMENT - Mayor Odle submitted the name of Robert Lucas to fill the vacant position of Harry Leonard.

J. Novak and J. Pfannenstiel moved to accept the Mayor's appointment of Robert Lucas to the Basehor Planning Commission. All Aye. Motion Carried. (5-0)

SPECIAL MEETING - Mayor requested the right to call a special meeting during the month to act upon an ordinance that would charter the city out from under the tax lid. He stated the governor is expected to sign the Bill later in the week.

J. Novak moved to allow the Mayor to call a special meeting if needed prior to the next Council meeting. C. Wilderson second the motion. All Aye. Motion Carried (5-0)

PARK SITE - On the recommendation of grant writer, Donna Crawford, the City needs to make of public record the change of site locations for the proposed city park. Mayor Odle announced the City has changed their preference of locations from Parallel to Leavenworth Road.

APPOINTMENT - Mayor Odle advised Council that if there were no objections he would like to delay the city employee and contract appointments until the June meeting so that he may ascertain input from the new Councilmembers. No objections were expressed.

JOHN NOVAK

JERRY BARLOW

FRANCIS SCHERER

JOHN PFANNENSTIEL

CITY PARK - Councilman Pfannenstiel reported the park grant has been approved by the State. The City now has twelve months to purchase the property. Mayor asked for those willing to set on a committee to negotiate the purchase to please contact him.

CHARLES WILDERSON

EXECUTIVE SESSION

Mayor Odle announced a twenty minute recess into executive session to discuss possible litigation as requested by city attorney.

Council reconvened into regular session with J. Novak stating the city will be acting on the attorney's recommendation to file an appeal against the Leavenworth County Commissioners decision regarding Hankamer, Inc. The motion was second by J. Barlow. All Aye. Motion Carried Unanimously (5-0)

ADJOURNMENT

There being no further business to discuss, J. Novak and J. Pfannenstiel moved to adjourn the meeting. All Ave. Meeting was adjourned at 9:13 p.m.

Submitted for Council approval (with, without) corrections
this 1st day of July, 1991.


Mary A. Moyle, City Clerk

rec'd 5-6-91
man

To the Mayor, City Council, and Planning Board of the City of Basehor:

Being citizens of the United States and persuent to the first amendment right to petition the Government, and being aggrieved that they propose to put a park on lots 5 and 6 bordered by Parallel on the north, 152nd St. on the east, and Chestnut Street on the south in the South Basehor Addition, We, the undersigned request the permission not be granted. A list of oppositions follows:

1. It may bring undesireable people into our neighborhood such as happened in the park and city of Bonner Springs last summer after a rock festival at Sandstone. We understand there were a few in Basehor. They slept in the park and in the parking lots of businesses and used water hoses without permission to bathe at private homes and businesses, and as yet Basehor does not have the capability or police to control this. We get beer cans and other trash thrown along Chestnut and 152nd St. from cars parking at night now, and do not need any more. They may even bring in drugs. We do not want to be afraid to go out into our yards.
2. Parallel and Chestnut are not wide enough to park cars on. If there is a car parked on Chestnut, it is impossible for two cars meeting each other to pass without one stopping and waiting for the other to pass. We have enough fast traffic on Chestnut now, and do not need any more.
3. Water from this land drains toward the Landauer addition when there is a big rain. If roads were paved or playgrounds surfaced or such, it would make more water drain off and the Landauer Addition has enough trouble with flooding now.
4. There is no sewer to this property, and it would cost the city money to put it there, and we wonder if the sewer in the Landauer Addition is capable of carrying all the extra water.
5. This area is all zoned for residential, and we think it would lower our property values if a park were there. We do not want to live near a park and perhaps others do not either. There may be bright lights, and noise. We located here to have a quiet and peaceful home and do not want the extra traffic, noise and worry.
6. The city would get no taxes from this ground, and there would be extra expense. Basehor is a nice city, and growing, but it still has its limits as to what it can handle. Lets not get ahead of ourselves, and use the Wyandotte County park that is close by.

NAME

Thank You,

ADDRESS

1.	Joe E. McCoy	152 09 Chestnut Basehor
2.	Mary B. McCoy	152 09 Chestnut, Basehor
3.	Billye Hedding	15207 Chestnut, Basehor
4.	Dorothy Hampton	15312 Chestnut, Basehor
5.	Wannan Hampton	15312 Chestnut, Basehor
6.	Darlene Peterson	15121 Chestnut, Basehor, Ks.
7.	Patricia Giddings	15207 Chestnut, Basehor, Ks.
8.	Edith M. Page	1720 N-150 ST. Box 21
9.	Rub M. Mallett	1711 N 150 ST.
10.	Jan Mallett	1711 N. 150 St.

- | NAME | Page 2 | ADDRESS |
|------------------------|--------|-------------------------|
| 11. Gaunita Schmitt | | 15116 Chestnut, Bascher |
| 12. Larry P. Hawin | | 15116 Chestnut, Bascher |
| 13. Gladys E. Slessors | | 15121 Chestnut Bascher |
| 14. Bryan Paumgart | | 15302 Chestnut |
| 15. Nancy Bagatini | | 15302 Chestnut |
| 16. Dewayne W. Hudson | | 15422 Chestnut |
| 17. Rosemary Blyden | | 15416 Chestnut |
| 18. Howard Senior | | 15416 Chestnut |
| 19. Jack Bell | | 1713 Chesnut |
| 20. Howard E. Rogean | | 15333 Chestnut |
| 21. St C Cole | | 15115 Chestnut |
| 22. Mayf Cole | | 15115 chestnut |
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Thank You,

NAME

ADDRESS

1.	<i>Lorene A. Malata</i>	<i>1711 N 150th</i>
2.	<i>Sheyl R. Malata</i>	<i>1711 N 150th</i>
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