MINUTES

BASEHOR CITY COUNCIL
August 6, 1990
7:30 PM
Basehor City Hall

OFFICIAL PRESIDING: MAYOR JOSEPH P. ODLE

MEMBERS PRESENT: John Novak, Jerry Barlow, Daniel Hubbel and Francis Scherer

Others Present: John Thompson, Atty. Jane Scherer, Treas.
Vincent Weston, COP Mary Mogle, Clerk
Bruce Browne, PE David Van Parys, Judge
Gene Miller, LAD Susan Guy, Chamber
CITIZENS OF BASEHOR

The meeting was called to order at 7:35 p.m with Mayor Odle presiding. Mark Grube was the only councilmember absent.

APPROVAL OF MINUTES

A motion was made by J. Novak and second by D. Hubbel to approve the July 9th and July 17th Minutes as written. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

J. Novak moved to approve the July 1990 Treasurer's Report as submitted and reinvest Certificate of Deposit #8211. D. Hubbel second the motion. All in favor. (4-0)

APPROVAL OF MUNICIPAL COURT REPORT

It was moved and second by J. Novak and D. Hubbel to approve the July 1990 Municipal Court Report as submitted. All voted unanimously in favor (4-0) Receipts - 3,633.00

CITIZENS AND PETITIONS

Mayor Odle announced that developers, Gary Wells (Country Meadows) and Jeff Scherer and Dick Hayes (Hickory Pointe) have requested streets lights in their respective subidivisions.

J. Barlow moved to contact KPL and follow their recommendations on the two subdivisions. J. Novak second the motion. All Aye. Motion Carried. (4-0)

LEAVENWORTH AREA DEVELOPMENT

Gene Miller, director for Leavenworth Area Development was present to ask that the Council approve a Resolution renewing the current Enterprise Zones. He explained the current Resolution will expire on August 9th ending a five year period.

Miller explained the business owner will receive a break on

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sales tax when building is constructed and purchase of equipment while building the establishment. There will also be an employee break on their income tax. He reinforced the only monetary item the City of Basehor will be loosing out on is the building permit fee.

A motion was made by D. Hubbel and second by J. Novak to renew the Enterprise Zone and pass Resolution 90-3. All Aye. Motion Carried (4-0)

RESOLUTION 90-3 A RESOLUTION REQUESTING THAT AREAS IN THE CITY OF BASEHOR BE DESIGNATED AS AN ENTERPRISE ZONE AUTHORIZED BY K.S.A 1989 SUPP. 12-17, 109, et seq.

24-40 HIGHWAY PROJECT was discussed in brief with Gene Miller expressed a concern at this point regarding the match grant. He explained the cities involved have already decided where there match fund will be coming from, but because of changes in the State laws the County will have to come up with other options. Construction is hoped to begin in 1994.

PLANNING COMMISSION

Breuer asked that this portion of the meeting be tabled until later in the meeting.

MUNICIPAL JUDGE

COURT FINES - Judge Van Parys requested the Council consider this court fine increase as proposed. He stated the last thing he wants in Basehor is to use this as a money maker, but feels a high fine can be used as a deterent to break the law again. He has also noticed the cities fines are lower than most.

It was felt by some Councilmembers that the fines are high enough at this time. Mayor Odle stated he felt more serious offenses such as "fleeing a police officer" should constitute a higher fine.

D. Hubbel moved to table this matter for consideration. J. Novak second the motion. All Aye. Motion Carried. (4-0)

COURT CLERK APPOINTMENT - Judge Van Parys asked that clerk Mary Mogle be reappointed.

A motion was made by D. Hubbel and second by J. Barlow to accept the appointment of Mary Mogle as Municipal Court Clerk. All voted in favor. Motion Passed (4-0)

CITY ENGINEER

HICKORY POINTE SUBDIVISION - Engineer Browne submitted a letter indicating an intersection at 157th & Willow Drive was holding water and needed to be corrected. He also informed Council that he will waive the concrete swail subject to the drainage being repaired.

D. Hubbel moved to approve the pavement and grading (on 157th St. and the east portion of Willow Drive) subject to the recommendations of the engineer and a maintenance bond being submitted. J. Barlow second the motion. Barlow, Hubbel and Novak-Aye. Scherer-Abstained. Motion Passed (3-0-1)

CULVERT RECOMMENDATION - Browne submitted a letter stating he feels from here on out all properties needing a culvert should be calculated seperately. He recommends the city clerk contact him before issuing a building permit and a additional fee of $25.00 per charged to cover expenses. He also feels that Ordinance #230 should be amended to require the project engineer to provide the city clerk with a list of culvert sizes by the address assigned to each building site.

J. Novak moved to table the matter until the September meeting for consideration. D. Hubbel second the motion. All Aye. Motion Carried. (4-0)

CITY CLERK

SHOEMAKE PROPERTY - Clerk reported she has received a request by Kenneth Shoemake to change his address from 1313 150th St. to 1311 because of supersticious beliefs. Mogle explained the address could be either address because it was as large parcel of ground. The only problem would be that it will take some time and postage notifying the various utility companies and courthouse of the changes.

A motion was made by D. Hubbel and second by J. Novak to accept the Shoemake's request if they agree to pay the cost incurred by the city. All Aye. Motion Passed. (4-0)

SEWER BILLS - A motion was made by D. Hubbel and second by J. Novak to approve the purchase of 10,000 sewer and waste bills in the amount of $405.00. All voted unanimously. (4-0)

SECURITY BOND - It was reported by Mogle the Clerk, Asst. Clerk and Treasurer's security bonds have expired and new bonds will cost $200.00 per year.

A motion was made by D. Hubbel and second by J. Novak to purchase $10,000.00 security bonds on clerk, treasurer, and asst. clerk for $200.00 per year. All Aye. Motion Carried. (4-0)

CHIEF OF POLICE

Present. No Comments At This Time

CITY ATTORNEY

LANDLORD ORDINANCE - D. Hubbel moved to waive the reading and approve the landlord ordinance for the 1st reading. J. Novak second the motion. All Aye. Motion Carried. (4-0)

MAYOR'S REPORT

REAPPOINTMENTS - Mayor Odle made the following appoints as slated:

CITY STAFF EMPLOYEES

Mary Mogle, Clerk	Pat Massingill, Asst. Clerk
Jane Scherer, Treas.	John Thompson, Atty.
David Van Parys, Judge	Bruce Browne, Engineer
Donald Wilson, Animal Ct and Maintenance	William Mogle, WWTO
	Joyce Bowlin, Record Sec. P/C
Michael Bilyk, Bldg. Inspector	

J. Barlow moved to accept the reappointments as mentioned. J. Novak second the motion. All Aye. Motion Carried. (4-0)

POLICE DEPARTMENT

Vincent W. Weston, COP	Martin Cigich, Sgt.
Steven E. Belk, P-T Offr.	Julie Chenoweth, P-T Offr.
Kevin Faust, Reserve	Steven Johnson, Reserve

J. Novak moved and J. Barlow second the motion to reappoint the said mentioned police officers. All Aye. Motion Carried. (4-0)

PLANNING COMMISSION

Danny Dearringer (to replace Roger Brandt)
Robert Walden (reappoint to another term)
Clifford Johnson (fill vacant position of T. Stovall)
David Roe (fill vacant position of H. Leonard)

A motion was made by J. Barlow and second by J. Novak to approve the Planning Commission appointments. All Aye. Hubbel-Nay. Motion Carried. (3-1)

Hubbel asked that a letter of appreciation be sent to Roger Brandt for his years of service to the community and Board.

BOARD OF ZONING APPEALS

Iris Weston	Mark Mishler
John Pfannestiel	Helen Godard

Patti Srubas (fill vacant position of Pauline Nance)

J. Barlow moved to approve the Board of Appeals nominations The motion was second by D. Hubbel. All were in favor. (4-0)

SEWER WORKSESSION - Mayor Odle requested a worksession regarding the monthly sewer fees prior to the Sept. meeting.

Council unanimously agreed to change the Sept. 3rd meeting to Sept. 5th due to the holiday and hold a worksession at 7:00 p.m.

PLANNING COMMISSION

PIN OAK SUBD. PHASE III - Planning Commission resubmitted

the final plat for Phase II of Pin Oaks Subdivision without changes as previously asked for City Council. The Planning Commission felt there were adequate entrances and exits into the subdivision reported Chairman, Roger Brandt.

Councilman Novak felt that since other subdivisions were made to take their streets to the adjoining property lines as precedent has been started and Breuer should be no exception.

Developer, David Breuer, explained that his main concern at this point is the storm drains that have been designed for the area. He feels by changing the streets he looses the drainage grid along with a more marketable area. He feels he has proven to the City Council what type of subdivision he can produce.

After a very lengthy discussion between Council, Breuer and Planning Commission members, Mayor Odle called for a vote.

A motion was made by F. Scherer to approve the final preliminary plat and phase II of Pin Oak Country Estates (157th St & east portion of Willow Drive). D. Hubbel second the motion. Scherer & Hubbel - Aye. Novak & Barlow - Nay.

Mayor Odle announced that he now has to make the tie breaking vote due to the two-to-two vote. He explained he is casting a vote of "YES" because he felt this is the way Mr. Grube would have voted if he would have been present based on his vote at the last meeting and that the Pin Oak Subdivision being a first class operation is definitely an asset to the City of Basehor. Also that even though he has some reservations about the subdivision the good points out weight the bad. Motion Passed with a 3-2 vote.

JOHN NOVAK (no comments)

JERRY BARLOW (no comments)

DANIEL HUBBEL (no comments)

FRANCIS SCHERER

Questioned why the manhole in the new Hickory Street extension has a six inch difference in height. Mayor Odle said he would question the operator.

ADJOURNMENT

There being no further business, J. Novak and J. Barlow moved to adjourn the meeting. All Aye. Meeting was adjourned at 9:35 p.m.

Submitted for Council approval (with, without) corrections

the 5th day of Sept., 1990.

Mary A. Mogle

Mary A. Mogle, City Clerk