

**AGENDA
WORK SESSION**

BASEHOR CITY COUNCIL

January 4, 2010

7:00 p.m.

Basehor City Hall

1. Letter of Reference – Burns & McDonnell
2. Resolution pertaining to weed control on unplatted lots and water ways
3. Request for reimbursement of fireworks permit fee.
4. Request from property owner at 14600 State Ave. to allow archery deer hunting.
5. Request from Prairie Gardens Homes Association to re-evaluate 24/40 Benefit District.
6. Consolidated Rural Water District No. 1 – Conditional Use Permit
7. 2010 Worker's Compensation

Basehor City Council reserves the right to amend the agenda following its publication in the Basehor Sentinel newspaper. Citizens are encouraged to attend all public meetings. Updates to the agenda may be viewed at www.cityofbasehor.org

**Minutes
WORK SESSION**



**BASEHOR CITY COUNCIL
January 4, 2010
7:00 p.m.
Basehor City Hall**

Official Presiding: Mayor Terry Hill

Members Present: Pres. Jim Washington, David Breuer, Iris Dysart, Dennis Mertz,
Bill Moyer

Members Absent: None

Staff Present: Mark Loughry, Lloyd Martley, Mary Mogle, Gene Myracle, Mitch Pleak,
Patrick Reavey, Mark Lee

Newspaper Present: Kaitlyn Syring, *Basehor Sentinel*

The work session was called to order by Mayor Hill with all members present. The city attorney was in attendance.

1. Letter of Reference – Burns & McDonnell

Mr. Loughry submitted a letter of reference for Mayor and Council approval and asked if any changes needed to be made. Council recommended no changes.

2. Resolution pertaining to weed control on unplatted lots and water ways

Mr. Loughry advised he would begin to take a more proactive step to the weed control and asked Council for their input to remain with the current ordinance or adopt the proposed ordinance.

An acreage limit to the ordinance was suggested in reference to larger areas of land owned within the city limits. It was noted that the Miles property was harvesting hay and

was considered under the statute and that it is considered agricultural land. The Miles property is an example of a large unplatted property and is not a problem property. The current code is nuisance based and suggests the owner be required to mow a certain amount of ground around the property. It was questioned how the code shall be enforced for the unplatted lots.

The main concern for the mowing of unplatted lots was the lots neighboring residential areas. It was suggested to have conditions set to have the land owners mow a strip around the perimeter of large acreage areas if there is a neighboring residential property. Mr. Loughry stated that he believes it would be a good idea to mow the perimeters of the large unplatted lots to benefit the neighboring homes and to make the areas appear more appealing.

An example was made of the Historical society property at 158th and Parallel. The Historical society would have to mow twelve feet on Parallel and 158th street. A size limit of five acres or less was suggested for required cutting. It was advised to find out how many unplatted properties are in the city limits. It was suggested to take out the twelve feet and replace it with "right of way" for the ordinance.

The council will move forward with this item and propose a possible resolution to the current ordinance.

3. Request for reimbursement of fireworks permit fee.

In reference to the reimbursement of the fireworks permit for Basehor Baptist Church, it has been requested by the council that Basehor Baptist Church provide documentation proving that they are a 501 © non profit organization and that the profits from the sales did in fact go to the non for profit organization. Basehor Baptist Church did not apply for the permit in time to appear before the City Council prior to the issuance of the permit. The request currently held to go before the council is from Christina Millison.

Staff was directed to add this to the agenda only if documentation was provided.

4. Request from property owner at 14600 State Ave. to allow archery deer hunting.

Resident Joe Nick requested the council approve a special permit to allow archery hunting on his unplatted land located at 14600 State Avenue. Mr. Nick explained the deer were destroying his crops and causing accidents on 24/40 Hwy. Currently the City ordinance prohibits hunting in the city limits.

The council stated that if they were to allow archery hunting in the city it would be a city wide ordinance with specific regulations not just an ordinance pertaining to one residence.

Residents in the area have expressed concern and submitted a petition against the allowance of archery hunting in the city limits. The reasons behind the petition are that

they feel their safety and the safety of their neighbors are at risk. Mr. Maleta, a home owner on 150th Street whose land borders Joe Nick, was present at the work session and expressed a strong concern for the gun shots and the deer stands he has found in the areas surrounding his land.

Council requested expert testimony from the Kansas Game and Wildlife to possibly create a specific ordinance pertaining to archery hunting of deer in the city limits. A suggestion was made that if a specific ordinance were put into place that the owners of the property being hunted on shall make the property lines distinct as to show clearly where the property lines stop and start. It has been noted that certain surrounding cities do allow controlled hunting and have certain designated shooting zones and specific regulations regarding the ordinances.

Staff was directed to research programs and ordinances from Leavenworth, Shawnee, and other cities that allow hunting within their city limits and place on the next agenda for consideration.

5. Request from Prairie Gardens Homes Association to re-evaluate 24/40 Benefit District.

A request was made from Prairie Gardens Homes Association to adjust the way the special assessments are calculated for the 24/40 Sewer Interceptor.

Mr. Reavy stated that if the city were to move forward with this item it would be necessary to redo the entire benefit district. Mr. Loughry stated that any land currently not developable is being assessed. The Prairie Gardens land would not be the only properties affected. Mr. Loughry stated that it would be a substantial cost to the city to redo the benefit district. President Washington stated he does not believe it would be in the best interest of the city to redo the benefit district. He suggested Prairie Gardens HOA give the land back to the City since the property owners would still have to maintain the property to the center of the line.

The council will not move forward with this item.

6. Consolidated Rural Water District No. 1 – Conditional Use Permit

Consolidated Rural Water District No. 1 (CRWD) has requested a conditional use permit to upsize the current water tank located west of 155th Street and south of First Baptist Church of Basehor. The tank the CRWD wants to place is a 1,000,000 gallon tank as opposed to the current 100,000 gallon tank presently standing.

Mr. Loughry stated CRWD submitted three styles of towers with the planning commission choosing the concrete style water tower. Mr. Loughry stated some information was still lacking from CRWD to really consider every aspect of the tower. Mr. Loughry stated he is bringing this item up at this time to give the council an idea of what is going to be coming up in the future meetings. The CRWD still has to go before

the planning commission. At this time the CRWD does not have all the information together to bring this item before the planning commission.

Councilmember Breuer advised that the water districts have other options than putting up big towers above ground. Johnson County has an underground facility that is more eye appealing.

7. 2010 Worker's Compensation

The city administrator reported it was time to renew the City's Worker's Compensation insurance with KMIT for year 2010. Currently the city qualifies for a 10% discount for the 2010 year which has resulted in a \$3,087 savings. The premium for the insurance is calculated from estimated wages for 2010 and the number of claims in 2009. The premium for 2010 is \$27,986 and is paid from the General Fund. Mr. Loughry stated that the City providing safety training assisted with receiving the discount. President Washington stated that the KMIT should be shown as part of the "Pie" at budget time.

The item will move to the next agenda for action.

8. Cedar Lakes Annexation Appeal

Mr. Reavey provided the council with an appeal response from the Cedar Lake Estates attorney. Once Mr. Reavey finalized his response, he will provide the documents to the Council.

Meeting adjourned 08:13 PM

Submitted for Council review this 25th day of January, 2010.




Mary A. Mogle, City Clerk