

MINUTES

BASEHOR CITY COUNCIL

August 3, 1987

7:30 PM

Basehor City Hall

MEMBERS PRESENT: John Novak, Mark Grube, Daniel Hubbel,
Jerry Barlow, and Pete McKenzie

OFFICIAL PRESIDING: MAYOR ANNA MARY LANDAUER

Others Present: John Thompson, Attorney
Jane Scherer, Treasurer
Lloyd Beth, COP
Bill Mogle, WWTO
Mary Mogle, Clerk
Citizens of Basehor

The meeting was called to order promptly at 7:30 pm. Members present were John Novak, Mark Grube, Daniel Hubbel, and Jerry Barlow. Members absent were Pete McKenzie.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion was made by D. Hubbel and second by J. Barlow to approve July 6, 1987 Minutes as written. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

(P. McKenzie arrived at 7:34 pm)

A motion was made by M. Grube and second by D. Hubbel to approve the July 1987 Treasurer's Report as submitted. All Aye. Motion Carried. (5-0)

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by J. Novak and second by M. Grube to accept the Municipal Court report as submitted. All Aye. Motion Carried. (5-0) Receipts - 539.00

CITIZENS AND PETITIONS

WAYNE TRAIL & EARL BENTON - Submitted a petition to vacate Basehor Street to the original owners of tract 6 (W. Trail) and tract 7 (E. Benton). Mr. Trail verified that the Register of Deeds office confirmed Basehor St. as being designated for public use. Trail and Benton stated they do not have the \$25,000-\$30,000 it would take to upgrade the street if a benefit district was created. John Thompson, city attorney, informed the Council they had three alternatives (1) accept responsibility, and upgrade from city budget; (2) create a benefit district; (3) vacate the property.

Council felt a study of the property should be performed by the city engineer before a decision is made.

SCANNED

3-6-07 *AT*

A motion was made by D. Hubbel and second by M. Grube to hold a public hearing at 7:00 pm before the next council meeting (9/8/87).

SUSAN GUY - Market Survey: Mrs. Guy informed Council of a meeting being held on August 18th at 7:30 pm, Basehor Middle School regarding the results from the market survey. Public, County Commissioners, and City Council are to be invited.

Council Meetings & Agendas: Feels the Council should consider going to two meetings per month or holding one or two study sessions during the month. She received a letter saying she would have to pickup an agenda at city hall on the day of the meeting and pay for copying. She does not feel this is right because the agendas are free at the meeting. She would like to see one copy of the Minutes and Treasurer's reports available to interested parties at the meeting. She also feels the Council should have a "plan of attack" for future matters.

Police Matters: Would still like to see the 1984 police car housed at city hall for backup purposes. The council should give the Chief of Police one of the older vehicles to drive.

McKenzie stated the survey is a good study and shares her views on the police car.

Barlow expressed that the additional 5-10 minutes coming to city hall would be critical.

Chief Beth stated when Mrs. Guy was city clerk she was the one that made arrangements for him to get the first police car. Mrs. Guy denied his statement.

Grube stated he realized the meetings were lasting too long and feels study sessions would be something to consider.

Barlow stated he does not feel there should be a cost for the agenda.

SHARON HERDMAN - Telephone Cable: Reported the telephone cable has been put underground but the large asphalt chunks and weeds still need to be removed.

Cleaning of Ditch: Asked if the city or county could come out and spray for weeds. Mayor stated the county will not come out due to the heat. But she will check to see what the county will do to help out.

Councilman Novak: Was very irritated when Councilman Novak left prior to the Citizens and Petitions being heard at the last meeting. Feels he should have more consideration for them.

A. K. MUSSETT: Asked he be given a chance to speak later in the meeting when the Comprehensive Plan is discussed. Council agreed.

ROGER BRANDT: Hickory Street - Stated Hickory St. has a 50' easement and requested Council allow Mr. McGregor (land purchaser) to remove the trees and develop the road so he can build a house on the back side of the 24 acres. He asked the council to guarantee a building permit for house, develop the road, and the city will not "hassle" him when he

wants to develop. Novak read the letter submitted by Bruce Browne, city engineer, regarding Hickory St.

[Bruce Browne-Correspondence dated July 16, 1987 is attached as part of the August 3, 1987 Minutes.]

Council unanimously agreed the engineers letter allowed the property owner access without liabling the city. Grube felt a tube should be installed or it would create future water problems. Mr. Brandt was given a copy of Bruce Brownes letter at this time.

FIRST STATE BANK

Mr. New asked clerk to extend his appreciation for their time but at this time he has changed his plans. He wished Council to know he has purchased an acre of ground from Rita Huscher and will be building a permanent facility instead of a temporary facility. He will notify the city when he is ready to submit final plans.

COMPREHENSIVE PLAN

J. Novak objected to the wording on page 4-7, Policy #1 and page 4-8, Policy #3 regarding the zoning of commercial districts.

Barbara McCoy, Basehor Planning Commission, informed Council they have only 60 days to study the plan and make recommendations back to the planning commission.

A motion was made by M. Grube and second by P. McKenzie to hold a study session Wednesday, August 19th, at 7:30 pm at city hall. All Aye. Motion Carried. (5-0)

CITY ENGINEER

TYPICAL STREET DETAIL - McKenzie objected to the detail submitted by Bruce Browne regarding the size of ditches and the type of grass specified. Mayor asked McKenzie to contact Mr. Browne and work out the details prior to the next meeting.

CITY CLERK (Mary Mogle)

NO PARKING PERMIT - Asked Council to consider the "No Parking Without Permit" in the three new subdivisions. Felt that since city hall is closed Friday through Sunday this could present a problem for weekend visitors. Council felt at this time they should see how the system works before making any changes.

SEPTEMBER MEETING - A motion was made by M. Grube and second by P. McKenzie to change the Sept. 7th meeting to Sept. 8 due to the holiday. All Aye. Motion Carried. (5-0)

ZONING/BOUNDARY MAPS - Requested the Council update the zoning and boundary maps. A motion was made by M. Grube and second by J. Novak to contact the city engineer for a cost analysis. All Aye. Motion Carried. (5-0)

BRUCE M. BROWNE RE

Consulting Engineer

7818 HASKELL DRIVE
KANSAS CITY, KANSAS 66109
Phone 334-1878



July 16, 1987

Mayor & City Council
c/o City Clerk
City Hall
Basehor, Kansas 66007

Re: Hickory Street

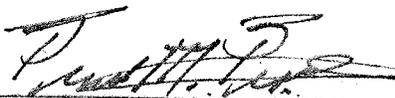
I have been asked by Roger Brandt for an opinion as to the use of dedicated Hickory Street west of 156th Terrace as an entrance to the McGregor property.

The dedicated width of Hickory is 30' as shown on the official City Plat prepared by the Leavenworth Regional Planning Commission.

Anyone has the right to use a dedicated street right of way whether the street has been opened or not. For a number of years Klamm Street west of 156th Terrace was used as an entrance drive to the property that is now the Rankin Estates Subdivision. This is in line with John Thompson's legal opinion of 7-9-87.

I recommend Mr. Brandt be sent a letter from the City setting out the following:

"The City of Basehor grants you and your assigns the right to use the presently platted but unimproved right of way of Hickory Street west of 156th Terrace as a private entrance roadway to the abutting property. In the event you or your assigns desire to improve the street to City street standards as set out in the subdivision regulations the City agrees to accept the street for maintenance upon approval by the City Engineer and the City Council. Platting or division of any of the abutting property will not be permitted unless the street is improved to City standards."


Bruce M. Browne

n

COMPUTER TIME - Clerk requested an additional 20 hours overtime for her and her assistant to enter in all the data necessary for the new sewer and waste program.

A motion was made by D. Hubbel and second by M. Grube to approve 20 hours overtime for clerk and assistant. All Aye. Motion Carried. (5-0)

CHIEF OF POLICE (Lloyd Beth)

SPEEDING VEHICLE - Received a written report from the officer accused by Jack Williams (June Meeting) of speeding on parallel.

Chief Beth reported the officer was going west on parallel on his way to work when he came up to a car going approximately 20 mph. He waited till he was in the passing zone and passed the vehicle. And at no time did he feel he disobeyed the law.

CITY ATTORNEY (John Thompson)

CHARTER ORDINANCE - Has compiled information regarding the exemption of the tax lid. He has found the trend of other cities to totally exempt out of all categories, not just one or two. He has been told the reappraisal will have a major effect on future budgets, but is unable to say to what extent at this time. He advised Council to act on the exemption prior to June of 1988. Thompson asked that he be able to discuss this matter with the Council at the August 19th meeting and requested he be granted time for executive session prior to the study session.

FLOODING LAW SUIT - Would like to reserve the right to discuss in executive session (8/19) regarding the pending lawsuit of last years flooding.

ASSIGNMENT OF J & F DISPOSAL - Asked Council to sign a resolution allowing right of payment to be assigned to the J & F Limited Partnership. He also wanted the record to show that he represents J & F Disposal and wrote the resolution.

(While Council reviewed the resolution-Thompson discussed other matters.)

VICIOUS DOG ORDINANCE - Tabled to September Meeting.

HODGE TRAILER - Tabled to September Meeting.

WANG CONTRACT - Asked the Council to give the Mayor the authority to sign the contract with Wang, Inc. allowing the trade of our current OIS 40 Computer with the Wang PC. Mr. Thompson suggested the Mayor not sign the contract without first crossing out the section which states "Customer, its affiliates and attorneys agree not to make any publication or disclosure of the facts or other information relating to this matter, nor to disclose the terms and conditions of this agreement." Thompson explained that since we are a public entity, this type of information is of public record.

A motion was made by D. Hubbel and second by M. Grube to authorize the Mayor to sign the contract excluding the one paragraph as read (page 2, item 6). All Aye. Motion Carried. (5-0)

J & F DISPOSAL - A motion was made by M. Grube and second by D. Hubbel to approve Resolution B7-2 (changed to B7-3 by Clerk) regarding the assignment of payment to J & F Limited Partnership. All Aye. Motion Carried. (5-0)

OFFICIAL LIABILITY INSURANCE - Clerk explained that months ago council inquired as to the cost of official and police professional liability insurance. Previous attorney, Robert Van Cleave, felt the insurance was necessary which prompted the collection of a quote.

Thompson will provide recommendation memo at the August 19 meeting, and can be acted upon at the September meeting.

MAYOR'S REPORT (Anna Mary Landauer)

FOURTH OF JULY - Would like to have a small piece in the paper regarding the celebration. No Action Taken.

CITY OF EDWARDSVILLE RESOLUTION - City of Edwardsville is still requesting the city support in writing the greyhound and quarterhorse track. D. Hubbel said it was discussed last month and no action needs to be taken at this time.

KP&L GAS SERVICE - Council unanimously agreed to install a street light on 154th & Elm per citizen petition. Cost will be 6.76 per month.

APPOINTMENT OF MUNICIPAL JUDGE - A motion was made by J. Novak and second by J. Barlow to reappoint Harry Reese as municipal judge. Novak, Barlow, and Grube-Aye. Hubbel and McKenzie - No. Motion Carried. (3-2)

FLOOR DRAINS - A motion was made by M. Grube and second by D. Hubbel to table till future point. All Aye. Motion Carried.

PARKING (Maple to Ripley) - Mayor stated she has received a letter and some calls regarding the parallel parking on 155th St. from Maple to Ripley. The business owners would like to have angle parking. Council unanimously agreed to change the parallel parking to 30 degree angle parking from the library south and leave parallel parking from library north to Ripley Street.

STREET SIGNS - Clerk submitted a list of street signs, posts, and caps to be ordered in the approximate amount of \$716.00. She explained the majority of the signs are for the new subdivisions.

An example of a school zone flashing light was submitted. McKenzie did not feel the sign was up to state standards.

A motion was made by M. Grube and second by McKenzie to purchase the necessary signs as submitted. All Aye. Motion Carried. (5-0)

A. K. Mussett requested the Council order a "No Thru Traffic" be purchased and installed on Hickory St. Extension. He stated the Basehor Senior Citizen Housing will withstand the cost.

A motion was made by J. Novak and second by P. McKenzie to appoint Mr. Mussett to raise money to purchase the flashing school zone lights. All Aye. Motion Carried. (5-0)

COMMUNITY EDUCATION - Announced Community Education will be holding a meeting on August 27th at 7:30 pm to start planning for the 100 year Centennial for the City of Basehor for those who are interested in getting involved.

NO BURNING - Council at this time did not feel it was necessary to enforce a no burning ordinance.

JOHN_NOYAK

SEWER HOOK-UP --Requested the Council approve the increase of \$200 for each future sewer connection to be put into the capital improvement fund for future improvements. After a lengthy discussion Council agreed to table till the September meeting. Requested clerk contact David Breuer to be present with the information he compiled a few months back.

FLOOD PLAN MAP - Asked the status of the flood plan map. Clerk stated the council received a copy several months ago.

FOURTH OF JULY - Reported he has received very good reviews regarding the Fourth of July Festivities and an estimated 1,500 people attended.

EXCURSION TRAIN - Asked Council if they wished him to contact D. J. Roberison to be at the next meeting to discuss the progress on the railroad excursion train. Mayor reported the railroad has removed part of the track in Leavenworth. No Action Taken.

MARK_GRUBE

CULVERT ON MAPLE - Stated the culvert on Maple is collapsed again and feels an encasement with an embulment should be installed.

McKenzie suggested installing a 10" gas pipe to replace the metal culvert. Council agreed.

DANIEL_HUBBEL

155TH STREET - He has been receiving complaints concerning the job performed on 155th Street. He feels the City of Basehor pays enough taxes to the County that they can at least asphalt the main street into Basehor. Mayor asked Councilman Hubbel to write a letter to the County Commissioners stating the councils wishes.

A. K. Mussett feels the city should be careful not to upset the Commissioners or they will find themselves maintaining 155th St. with city funds.

JERRY_BARLOW

No Comments

PETE MCKENZIE

153rd STREET - Stated the city installed a culvert on 153rd St. that has already been "caved in". He felt the culvert should have been longer. Mayor Landauer stated she felt the culvert was vandalized on purpose.

McKenzie also stated the water does not drain properly on Breedlove's property and needs to be attended to.

ADJOURNMENT

A motion was made by J. Novak and second by J. Barlow to adjourn the meeting. All Aye. Meeting adjourned at 10:10 pm.

Submitted by,



Mary A. Noyle
City Clerk

These Minutes are subject to Council approval on 9/8/87.

9-8-87
Approved