MINUTES

BASEHOR CITY COUNCIL
JULY 5, 1988
7:30 pm
Basehor City Hall

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

MEMBERS ABSENT: Jerry Barlow

OFFICIAL PRESIDING: MAYOR ANNA MARY LANDAUER

Others Present: John Thompson, Atty. Jane Scherer, Treas.
Lloyd Beth, COP Bill Mogle, WWTO
Mary Mogle, Clerk Citizens of Basehor

Mayor Landauer called the meeting to order at 7:30 p.m. All members present except Councilman Barlow.

APPROVAL OF MINUTES

John Novak moved to approve the Minutes of June 6th Budget meeting, June 6th Council meeting, June 20th Worksession, and June 24th Emergency Meeting as written. Motion second by M. Grube. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by J. Novak and second by D. Hubbel to reinvest CD #6759 for $30,000.00 and cash in CD #6777. All Aye. Motion Carried. (4-0)

M. Grube moved to approve the June 1988 Treasurer's Report as submitted. P. McKenzie second the motion. All Aye. Motion Carried. (4-0)

APPROVAL OF MUNICIPAL COURT REPORT

M. Grube moved to approve the June 1988 Municipal Court report as submitted. The motion was second by P. McKenzie. All Aye. Motion Carried. (4-0) Receipts - 1,477.00

CITZENS AND PETITIONS

CHARLES THOMAS appeared before the Council to question why he was being made to pay for a culvert that he did not feel he needed. Mr. Thomas explained to Council that the original tube installed by Harry Zacharias on behalf of the city 18-20 years ago was improperly installed and does not feel he would have needed this new culvert if if original construction was performed properly.

Following a discussion D. Hubbel made motion to adhere to the existing resolution of spliting the cost with the homeowner. P. McKenzie second the motion. All Aye. Motion Carried. (4-0)

SCANNED
3-6-7 lt

FIRST BAPTIST CHURCH, represented by Gary Schroeder, stated that he felt he was misquoted in the newspaper as requesting an exemption for the church regarding the sewer benefit district. He went on to say that the church is not requesting a exemption but only to be remembered in appraisal proceedings that they are a non-profit organization and have very limited funds.

PLANNING COMMISSION

SPECIAL USE PERMIT - Recommended Council approve a Special Use Permit for a dog kennel to Joe and Betty Nick. Stipulations to be a non-transferable permit, renewal annually by June 1 if there are no complaints, may be renewed at city hall.

A motion was made by D. Hubbel and second by P. McKenzie to approve the Special Use Permit for a dog kennel to Joe Nick with the following stipulations (1) renewal to be made by June 1 of each year and if there are no complaints, may be renewed at city hall, (2) the permit will be non-transferable to any other person. All Aye. Motion Carried. (4-0)

ANIMAL ORDINANCE - Board recommended the Animal Ordinace be revised to allow any one owning three (3) acres or more may have livestock, with a woven or 4-Barb wire fence. Any complaints by neighbors, then they would need to acquire a special use permit.

A motion was made by J. Novak and second by M. Grube to deny the Planning Commissions request to allow livestock on three acres or more. All Aye. Motion Carried. (4-0)

155TH & LEAVENWORTH RD. - Board requested the Council look into widening of the intersection of 155th & Leavenworth Rd. for safety purposes.

Council unanimously agreed to contact the Leavenworth County Dept. of Public Works to see if there is a possibility of widening the intersection.

DITCHES - Commission requested the city clean out the ditches along Leavenworth Road from the grade school west to the city limits.

Council unanimously agreed to have the ditches cleaned.

PIT BULLS - Commission requested the Council adopt an ordinance prohibiting pit bulls within the city limits.

Council felt the Vicious Dog Ordinance recently adopted will cover a pit bull.

153rd & CHESTNUT - Twila Heinen, Commission Vice-Chairman, requested the Council look into the extension of 153rd from Landauer to Chestnut. They feel the road needs to be opened for emergency purposes. Requested building permits be withheld until Mr. Landauer opened the street.

After a short discussion, D. Hubbel moved to allow the city attorney to contact John Landauer to see whether or not he is interested in opening up the platted street. The motion was second by P. McKenzie. All Aye. Motion Carried. (4-0)

JOINT SESSION - Planning Commission requested a joint session with the City Council to discuss goals, policies, and objectives. Also, extended an invitation to all members to attend their regular monthly meetings.

BRANDT APPOINTMENT - Twila Heinen spoke in favor of reappointing Roger Brandt to the Basehor Planning Commission for another term. Felt that at times his real estate career may be considered a conflict of interest but feels Mr. Brandt is well versed with his zoning regulations and has been a good board member and president.

Also, speaking on behalf of Mr. Brandt was Barbara McCoy and Susan Guy.

CITY INSPECTOR

ABANDONED HOUSE - City Inspector, George Simpson, appeared before the City Council requesting they adopt the Uniform Code for the Abatement of Dangerous Buildings. He explained to the board that he was having a hard time enforcing any of the presently adopted codes against an abandoned house located at 156th & Leavenworth Rd. He explained by adopting the Abatement Code he will be able to bring the case before the Basehor Municipal Court.

Attorney Thompson suggested Council adopt the code with a penalty clause and redraft the nuisance ordinance.

A motion was made by J. Novak and second by D. Hubbel to allow the city attorney to write an ordinance to adopt the Uniform Code for the Abatement of Dangerous Buildings with a penalty clause. And to draw up any necessary nuisance ordinances. All Aye. Motion Carried. (4-0)

CITY CLERK

HODGE TRAILER - Clerk reported that Mr. William Hodge has not complied with the request again this year to renew his Special Use Permit for his mobile home trailer located at 1822 150th Street.

Council unanimously agreed to have city attorney file a complaint against Mr. Hodge and have him appear in court.

CITY ATTORNEY

MEYER DAIRY ANNEXATION - Councilman McKenzie requested information regarding the status of the Meyer Dairy annexation.

Attorney Thompson reported the property has not been sold and is on the list of items to be auctioned off on July 20th.

EASEMENT DEEDS - Thompson informed Council the deeds presented by Roger Brandt to be accepted by the City of Basehor have problems regarding improper legal discriptions, therefore, the County Deeds office would not accept them.

MAYOR'S REPORT

PLANNING COMMISSION PROCEDURES - Mayor Landauer stated the county planner, Jim Hewitt, has not been attending the planning commission meetings as he was asked to do. She also reported that she had confronted Mr. Hewitt with this matter and he offered no explanation. Council felt that Mr. Hewitt should be requested to attend the Planning Commissions monthly meetings.

Mayor questioned the legality of the executive session called by the Planning Commission in their June meeting. Attorney Thompson stated the board must comply with the Open Meetings Act by identifing the purpose of the session and can only discuss personnel matters or confer with an attorney, which they had neither at the session.

ECONOMIC DEVELOPMENT GRANT - Mayor Landauer reported she had city engineer, Bruce Browne, fill out an application from the Leavenworth Economic Development Advisory Committee requesting funds for the sewer benefit district in South Basehor.

A motion was made by P. McKenzie and second by M. Grube giving Mayor Landauer permission to sign the application for grant funding through LEDAC. All Aye. Motion Carried. (4-0)

PLANNING COMMISSION APPOINTMENTS - Mayor Landauer asked for Council approval for the appointments of Elbert Meyer, filling the open position of Tom Kerr, and Wayne Schuler, filling the expired position of Roger Brandt.

John Novak moved to accept the appointments of Wayne Schuler and Elbert Meyer to the Planning Commission. There was no second to the motion.

After a very lengthy discussion between citizens and Council, A motion was made by J. Novak and second by D. Hubbel to appoint Elbert Meyer (city position) to the Planning Commission. All Aye. Motion Carried. (4-0)

Mr. Brandt was not reappointed but will be able to serve until his position is filled or he is reappointed.

STREET UPDATING - It was reported by Mayor Landauer that the County has completed the ditching, tube replacements except on Ripley Street, and the asphalt overlay. Chipping and sealing will be completed later part of July or first of August.

McKenzie would like to have additional AB3 placed on Klamm St. before resurfacing.

Dwayne Herdman asked if the City could contact the County to see if they would rework the ditch at 155th & Chestnut so they can mow again. Council agreed.

BUDGET MEETING - A meeting was scheduled for July 20th at 7:30 pm to discuss the 1989 budget.

MEYER DAIRY LAGOONS - Ralph Thomlin, Meyer Dairy representative, suggested the City of Basehor consider looking at the dairy lagoon system to see if they could utilize it for the east half of Basehor. Mayor and WWTO Mogle will make arrangements to visit the lagoon site.

JOHN NOVAK

4TH OF JULY - Arrangements have been made to return the fireworks and receive a check upon delivery. Councilman Novak feels the 4th of July Celebration should be held in 1989 despite the drawbacks this year.

Susan Guy suggested the celebration be held in conjunction with the Basehor Centennial.

DANIEL HUBBEL

MARK GRUBE

PETE MCKENZIE

ADJOURNMENT

J. Novak moved to adjourn the meeting. M. Grube second the motion. All Aye. Meeting Adjourned.

Submitted by,

Mary A. Mogle
City Clerk

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DATE APPROVED