MINUTES

BASEHOR CITY COUNCIL
January 3, 1989
7:30 PM
Basehor City Hall

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

OFFICIAL PRESIDING: MAYOR ANNA MARY LANDAUER

Others Present: John Thompson, Atty. Bill Mogle, WWTO
Bruce Browne, Eng. Lloyd Beth, COP
Mary Mogle, Clerk Citizens of Basehor

Mayor Landauer opened the meeting at 7:30 p.m. with all members present except Daniel Hubbel.

APPROVAL OF MINUTES

A motion was made by J. Novak and second by P. McKenzie to approve the December 1988 Minutes as written. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

J. Novak moved and J. Barlow second the motion to reinvest Certificate of Deposit #6709, 7590, 7591, & 7592. All Aye. Motion Carried. (4-0)

A motion was made by P. McKenzie and second by M. Grube to approve the December 1988 Treasurer's report as written and approve to pay Dept. of Health & Environment ($5.00) and Lee's Service Stn. ($91.70). All Aye. Motion Carried. (4-0)

APPROVAL OF MUNICIPAL COURT REPORT

J. Barlow moved to accept the December 1988 Municipal Court Report as submitted. Motion second by P. McKenzie. All Aye. Motion Carried. (4-0) Receipts - 2,257.00

CITIZENS AND PETITIONS

No written requests received.

SCANNED

3-507 lt

PLANNING COMMISSION

HAYES SUBDIVISION - Board requested the Council approve the rezoning from R (rural) to R-1 (single family) for approximately 12 acres west of 156th Terrace. Owner is George McGregor.

P. McKenzie moved to approve the rezoning from R to R-1 seconded by J. Novak. All Aye. Motion Carried. (4-0)

HICKORY STREET EXTENTION - Board requested the Council consider purchasing or condeming property from Helen Keithley in order to extend Hickory Street west to coincide with the proposed Hayes Subdivision. The current preliminary plat plan shows a "Y" entrance into the addition which they feel will constitute a traffic hazzard along with not allowing for future development.

P. McKenzie moved to accept the proposed plan. J. Novak second the motion. There was not a vote on this motion at this time due to further discussion by Commission members and Council.

The developer, Richard Hayes, stated to Council that he is not asking Council to pay for any of the streets just let him have the subdivision set up the way he has proposed since he is the one investing all the funds.

After a very lengthy discussion regarding future development, comprehensive plan compliance, cost factors and if it was up to the city to provide streets for another man's development, Mark Grube stated there should not even be a vote by Council due to the fact that it has not been finalized by the Planning Commission.

At this time John Novak and Pete McKenzie recended their motions to approve the proposed plan.

CITY CLERK

No Discussion At This Time

CHIEF OF POLICE

155TH STREET SPEED LIMIT - Chief Beth recended his December request to increase the speed limit on 155th Street.

CRIMINAL ACTIONS - Beth informed Council of the robbery which occured last Friday at Casey's General Store. He commended the actions of Chuck Magaha for transmitting to the dispatcher the direction in which the suspect was headed. He also informed Council of a very serious accident at 155th & Leavenworth Rd. and an attempted assault at 155th Terr. & Ripley involving four adults throwing beer bottles into the windshield of a pickup.

He stated the public is always ready to condemn the police department but they are only trying to maintain a safe community.

INVENTORY - Mayor requested the police department prepare their inventory and have it to her by Janaury 10, 1989.

CITY ATTORNEY

FLOOD LAWSUIT - Thompson reported the lawsuit with Deis vs. City of Basehor regarding the 1986 flooding was denied in favor of the City of Basehor. A final hearing will be held on January 5th to see if the judge will allow the case to be reopened. He estimates the cost of the trial and attorney fees will be close to $15,000.00.

Councilman Barlow felt this information should be published in the paper to give the public an idea of where their tax money is going. John Thompson felt that there should not be any publication at this time since the final hearing has not yet been held.

NUISANCE ORDINANCE - Thompson submitted to Council for approval a comprehensive nuisance ordinance which is suggested by the League of Kansas Municipalities. The major deviation is that the ordinance now allows a designated city officer as well as a citizen to file a complaint.

Thompson requested the ordinance be passed on an emergency basis due to several complaints being received at this time.

J. Barlow moved to adopt on emergency basis and waive the reading of the Nuisance Ordinance #222. J. Novak second the motion. Novak, Grube, Barlow - Aye, McKenzie - Nay. Motion Carried. (3-1)

ANNEXATION PROCEDURES - It was suggested by legal counsel that if the city was interested in annexing property they should hire a consulting firm to work up all the details. Thompson feels the best method for annexing is to wait until the property owner approaches the city requesting to be brought into the city. Any other form of annexation would be both timely and costly.

CITY ENGINEER

KANSAS PARTNERSHIP FUND - Bruce Browne, City Engineer, requested a motion giving him the authority to go ahead and send in all the necessary paperwork for the low interest rate loan for the south sewer district. It was the concensus that if this loan was approved by the State, it will save the property owners a great deal of money.

P. McKenzie moved to allow Bruce Browne to send the information to Kansas Partnership Inc. J. Novak second the motion. All Aye. Motion Carried. (4-0)

ECONOMIC DEVELOPMENT MEETING - Mayor Landauer reported the Leavenworth Economic Development Committee has awarded the City of Basehor $10,000.00 to put toward the proposed sewer district.

SOUTH SEWER DISTRICT - Browne reported Mayor Landauer has presented him with a petition of those in favor of the sewer district. The petition has at this time thirteen signatures out of twenty-seven. Mayor Landauer stated she has an appointment with Citizens Mutual tomorrow for their signature.

Browne suggested that since over 51% of the property owners have signed, the next procedure is to hold a public hearing.

It was the concensus of the Council to wait until the February 6th meeting to set a date for the public hearing. Bruce Browne agreed to have all the information ready at the February meeting.

MAYOR'S REPORT

1989 STREET WORK - Mayor reported that all streets east of 155th Street are scheduled to be chipped and sealed this year. Additional AE3 will be spread on Basehor Street. She reported Wyandotte County Public Works Dept. maintained 142nd Street last and now it is the city's turn to chip and seal. Grube stated that with new administration maybe they will continue to maintain the street. Council unanimously agreed that overlay was necessary in some areas on the east side. They directed Bruce Browne and Leavenworth County to work up a report on recommendations and cost analysis.

PROBATION CONTRACT - Mayor Landauer asked Council if they wished to renew the probation contract with Leavenworth County. The fee per case has increased from $50 to $75.

A motion was made by F. McKenzie and J. Novak to approve the renewal of the Probation Contract. All Aye. Motion Carried. (4-0)

CHRISTMAS AD - Mayor notified each Council member she needed to collect $3.33 from each member for the Christmas Ad published in the Basehor Sentinel.

LETTER FROM OPPOSED CITIZENS - Mayor Landauer read a letter from area residents opposed to the actions of Planning Commission Chairman Roger Brandt regarding his conflict on the Mokan Concrete Co.. They felt Brandt had overstepped the wishes of the Council when he spoke at the Leavenworth County Planning Commission meeting and should be reprimanded.

Brandt rebutled by saying he was only translating to the County the Basehor Planning Commissions wishes. He in no way had anything to gain personally by his statements.

LAGOON SAMPLES - Mayor Landauer reported the lagoon reports were very favorable for this quarter.

PARK COMMITTEE - Barbara McCoy was asked by Mayor Landauer as to the status of a new park site. She stated she was still waiting for a third committee member to be appointed. Barbara McCoy, Jeff Scherer, and Doug Porter will serve as the park site committee.

McCoy was told to make only site recommendations and not to contact the prospective property owners.

ANIMAL CONTROL OFFICER - It was suggested a ad be put in the Basehor Sentinel for an assistant to Don Wilson, Animal Control.

INVENTORY - Mayor reminded all departments that inventory should be in on January 10th.

TASK FORCE - Informed Council that the task force for the widening of 24-40 hwy. from Wolf Creek to Tonganoxie meet at Basehor City Hall on the 29th of December. The County Engineer will be going to Topeka to present his case to the State of Kansas. The next meeting will be held January 12th, First National Bank of Tonganoxie.

JOHN NOVAK

No Comment At This Time

MARK GRUBE

No Comment At This Time

JERRY BARLOW

SOLID WASTE RATES - Barlow stated the reduction in the monthly trash service has decreased with the new company and feels a reduction should be felt by the citizens also.

Grube felt the charge should remain the same since the solid waste fund reserve could be used for other purposes.

J. Barlow moved to decrease the monthly trash service charge by fifty cents per household. J. Novak second the motion. Novak, Barlow, & McKenzie - Aye. Grube - Nay Motion Carried. (3-1)

PETE MCKENZIE

SEWER DISTRICT - McKenzie stated the city has been working on the proposed sewer district for a long time and would like to see the city push to finalize the matter.

ADJOURNMENT

J. Novak moved to adjourn the meeting. Jerry Barlow second the motion. All Aye. Meeting adjourned at 9:45.

Submitted for approval (with/without) corrections on the 6th day of February, 1989.

Mary A. Mogle, City Clerk

jan89mam