MINUTES

CITY OF BASEHOR
April 3, 1989
7:30 P.M
Basehor City Hall

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

OFFICIAL PRESIDING: Mayor Anna Mary Landauer

Others Present: Bruce Browne, Eng. Lloyd Beth, COP Mary Mogle, Clerk Citizens Valerie Kruger, Atty Bill Mogle, WWTO Jane Scherer, Treas.

Mayor Landauer called the meeting to order at 7:30 p.m. with Mark Grube being the only member absent.

APPROVAL OF MINUTES

D. Hubbel moved to approve the March 6th, March 9th, and March 20th Minutes as written. P. McKenzie second the motion. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by P. McKenzie and second by J. Novak to approve the March 1989 Treasurer's Report, reinvest CD #6629, and pay Quinlin Publishing-$42. All Aye. Motion Carried. (4-0)

APPROVAL OF MUNICIPAL COURT REPORT

P. McKenzie moved to approve the March 1989 Municipal Court report as submitted. All Aye. Motion Carried. (4-0)

(Councilman Grube arrived at 7:40 PM)

CITIZENS AND PETITIONS

KAREN HUNTER - Presented Council with a petition of those living in the Landauer Addition who wished to obtain street lights in their area.

J. Barlow moved to have city clerk contact KPL Gas Service to perform a survey and give their recommendation prior to the May meeting. J. Novak second the motion. All Aye. Motion Carried. (5-0)

RICHARD HAYES - Presented Council with a cost analysis and request to allow him to create a benefit district for his streets. He asked that he be able to install rock base, seal coat, and then wait two (2) years before asphalting his streets or until 65% of the lots are developed.

SCANNED
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Engineer, Bruce Browne, stated that according to the subdivision regulation, Mr. Hayes could submit a performance bond or cashiers check to cover the future cost of road construction. Building permits could still be issued as long as a performance bond was received. He agreed with Mr. Hayes that the street would hold up better if it was allowed to set for a winter before applying asphalt.

Areas of concern discussed were those of past practices, an ample amount of time for completion, and platted roads that were never finished by past developers.

Councilman Hubbel stated he felt by requiring an up-front performance bond this would ensure the road completion.

A motion was made by J. Novak and second by P. McKenzie to accept a performance bond from Richard Hayes for Hayes Subdivision for a period of twelve (12) months.

After further discussion regarding the costs and the city's responsibility Novak and McKenzie recended their motions.

J. Novak moved to accept a street performance bond for twelve months commencing at the time the plat is filed (with the County). The amount of bond will be based upon the city engineers cost figures to include inflationary figures. McKenzie second the motion. Novak, McKenzie, Hubbel, and Grube - Aye. Barlow - Nay. Motion Carried. (4-1)

Mr. Hayes stated he felt his obligation should terminate at the end of his property and not from Hickory St. to 156th Terr. Council unanimously agreed.

GEORGE FORD - Due to the fact that the benefit district did not go through his banker would like to see him, under certain conditions, create his own benefit district. This can be done by forming three different districts. He also stated that his district will only need a 8" line but the City is requiring a 12" line for future expansion. His plan does not include spurs to the east of 155th Street but could be included at a later date. Ford submitted a cost analysis for his district and approximate costs the City of Basehor would assume.

Council felt they should meet with Mr. Ford's bankers before making any decisions.

Council unanimously agreed to hold a work session on March 6th at 7:30 p.m. with Mr. Ford and his banker to discuss the proposed subdivision.

Twila Heinen, Planning Commission, reported Mr. Fords subdivision was rejected based on Secion 10-4 of the Comprehensive Plan where it stated homes should not be facing arterial roads.

Ford stated he has petitioned tape recordings of the Special meeting where they Planning Commission changed their vote.

AUDREY KELLEY - Stated she was unable to attend the special hearing held regarding the sewer benefit district and wanted to get a chance to let the Council know that she feels the proposed costs are unreasonable.

PLANNING COMMISSION

HICKORY STREET EXTENSION - The board requested Hickory Street be put through from 156th St. to 157th St. with the existing right-of-way at the City's expense.

Browne stated the cost of survey would be more than street construction.

Barlow stated he was concerned about those having fences and storage sheds on the right-of-way who may try to claim adverse possession.

Realtor, Lois Fulkerson, stated adverse meant that they had to claim open and continuous use for a period of seven years.

Dick Hayes felt the survey that was performed on his property should show the easements in question.

Sheryl Turner, whom resides at 15609 Hickory, stated she would be glad to provide a copy of her deed which shows a 30' easement north of her property.

D. Hubbel moved that if Mr. Hayes would be so kind as to turn over to the city engineer the certified survey they would direct the city engineer to have all necessary information ready for the May meeting. M. Grube second the motion. All Aye. Motion Carried (5-0)

NUISANCE ORDINANCE - Board encouraged the City Administration to see that the Nuisance Ordinance is enforced.

ZONING REGULATIONS - M. Grube moved to discuss the zoning regulation changes at the March 6th work session. McKenzie second the motion. All Aye. Motion Carried. (5-0)

CONCRETE HAULERS INC. - Board recommends denial of a Special Use Permit for the proposed concrete plant located north of 24-40 Hwy and east of 158th Street. They feel the noise, air, and sewer pollution would be detrimental to the area. No acceleration lanes onto 24-40 hwy.

Mr. Gary Grendal, representing Concrete Haulers, explained the company will be installing a private curb & gutter concrete road, dirt berm, and trees. The plant will be using a self-contained water supply while only employees personal needs will be serviced by the city sewers. He plans to employ 10-12 people and run eight trucks. Their estimated revenue the first year will be $1,500,000.00.

Those present speaking in opposition to the plant was Karl Banzhaf, John Ebert, and Richard Greenwald

Those present speaking in favor of the plant was Susan Guy, Lois Fulkerson, and Ray Harvey.

After a lengthy discussion regarding location and environment, John Novak moved to accept the Planning Commissions recommendation and deny the Special Use Permit to Concrete Haulers, Inc. J. Barlow second the motion. Novak, Barlow, Hubbel, and Grube - Aye. McKenzie-Nay. Motion Carried. (4-1)

Hubbel asked the Planning Commission to check into the zoning regulations and be consistant with the usages in various areas.

WASTEWATER TREATMENT OPERATOR

SEWER RODDER - Requested Council approval to purchase around 300' of rod to help unplug the sewer lines.

Council unanimously agreed to authorize Operator Mogle to bring an estimate for 300' of rod back to the table at the May meeting.

SEWER CONNECTIONS - Mogle presented a letter of concern regarding a home presently being built. He explained he made an inspection on the sewer tapp, in the absence of the inspector, and felt it should have been tapped at the house since it did not have a roof on yet.

Richard Hayes stated the Uniform Building Code calls for the line to be tapped at the house if the roof is not installed.

CITY CLERK

PARKING PERMIT - Clerk Mogle explained the "No Parking" has been causing some dissention among the area residents in the Rankin Add. She explained a renter has received citations for parking on the street and feels this is unjust when there are no homes on the east side of the road.

Council agreed that the "No Parking" regulation should remain as is and strictly enforced.

SEWER & SOLID WASTE DELINQUENTS - Clerk Mogle presented Council with a list of those past due on their sewer and solid waste bills. She requested permission to notify them by mail of the delinquency and set up a public hearing for May 1st at 7:00 p.m.

A motion was made by J. Novak and D. Hubbel to notify delinquent accounts and schedule a public hearing for May 1st at 7:00 p.m. All Aye. Motion Carried. (5-0)

(Note: Date was changed to June 5th at the 4/06/89 meeting)

JOINT SESSION - It was asked that a joint session be held with the City Council and Planning Commission to meet with the Kansas University Urban Development director, Eric Strauss to discuss the four mile plat plan. Strauss will be available on the 11th, 12th, 24th or 25th.

D. Hubbel moved to hold a work session with the planning commission and Professor Strauss on April 25th at 7:30 p.m. P. McKenzie second the motion. All Aye. Motion Carried. (5-0)

CHIEF OF POLICE

Chief of Police Beth requested an executive session following the regular meeting. Council agreed.

LAW ENFORCEMENT BILL - Beth stated the bill for his weapon was being taken care of by his insurance company.

CITY ATTORNEY

CODIFICATION ORDINANCE - Valerie Kruger, pro-tem for John Thompson, asked for approval on the second reading for the codification ordinance.

D. Hubbel moved to approve the Codification Ordinance on the second reading and waive the reading. M. Grube second the motion. All Aye. Motion Carried. (5-0)

ANNEXATION - Kruger stated that as of present, Thompson has not yet received a response from Mr. Chambers regarding the request for annexation.

TRAFFIC ORDINANCE - A motion was made by J. Novak and second by D. Hubbel to accept the 1988 Standard Traffic Ordinance on the first reading and waive the reading. All Aye. Motion Carried. (5-0)

POLICE PROCEDURE RESOLUTION - Kruger stated a resolution to adopt police procedures as requested by the insurance company will be presented at the May meeting.

MAYOR'S REPORT

POLICE TRAINING - Mayor asked for Council approval to send police officer, Martin Cigich, to Kansas State Training Program in Hutchison, Kansas with the city pay all wages and expenses. She explained the State of Kansas picks up the cost of the training and room and board.

J. Barlow moved to send Officer Cigich to the training center and pay mileage and wages. J. Novak second the motion. All Aye. Motion Carried. (5-0)

SEWER BENEFIT DISTRICT - Mayor Landauer reported the engineer is still looking into the proposed benefit district and will table until the May meeting.

MAINTENANCE - An update report was given by Mayor Landauer regarding the following:

(1) Hired Roy Langford to help with maintenance and animal control when Don Wilson was not available.

(2) Tractor had to be repaired this past month costing the City $148.00.

(3) Saturock was ordered, but the driver was unable to deliver to the north lagoon so it was dumped at the rear of city hall.

(4) Asked if Council felt more rock should be put on Basehor Street. Councilman McKenzie felt the street base was adequate and may have to have a small amount put on before it was chip & sealed this summer.

HERITAGE DAYS - City of Leavenworth has extended an invitation to Mayor and City Council to participate in the celebration on the 10th of June.

JOHN NOVAK

MARK GRUBE

DANIEL HUBBEL

JERRY BARLOW

Councilman Barlow questioned the attorney as to why there are so many cases dismissed on the March court report.

Kruger noted that "no proof of insurance" and "no drivers license in possession" are administratively dismissed. There were also two cases that were found not guilty by the judge.

PETE MCKENZIE

Councilman McKenzie asked why the maintenance man was out on the tractor Sunday evening.

Clerk Mogle reported he was helping the operator Mogle on the plugged sewer line.

EXECUTIVE SESSION

Mayor Landauer announced there would be a fifteen minutes executive session at the request of the Chief of Police.

The regular meeting was resumed at 10:30 p.m.. There were no decisions or statements made at this time.

ADJOURNMENT

M. Grube moved for the adjournment of the meeting. J. Barlow second the motion. All Aye. Motion Carried. (5-0)

Submitted for approval (with, without) corrections on the 1st day of May, 1989.

Mary A. Mogle

Mary A. Mogle, City Clerk