

BASEHOR  
CITY COUNCIL MEETING

March 6, 1984  
7:30 p.m.  
Fairmount Township Hall

PRESENT: Mark Grube  
Anna Mary Landauer  
John Novak  
Bob Van Cleave  
Loran Wilkes

PRESIDING: Forrest Tuter, Mayor

OTHERS PRESENT: Susan E. Guy, City Clerk  
John Thompson, City Attorney  
Jane Scherer, City Treasurer  
Lloyd Beth, Chief of Police  
Donald Wilson, Animal Control Officer  
Citizens of Basehor

MINUTES

Mayor Tuter opened the meeting with Mr. Novak not present. The minutes of the February 7, 1984 City Council Meeting were reviewed. John Novak arrived at the meeting. Loran Wilkes moved the minutes of the February 7, 1984 meeting be approved. Anna Mary Landauer seconded the motion. All aye. Motion carried.

TREASURER'S REPORT

The Treasurer's Report dated February 29, 1984 was reviewed. Certificate of Deposit 4626 is due March 9, 1984, and will be discussed at the end of the meeting.

John Novak requested Mrs. Scherer prepare a projection month to month to December of money the City can expect to receive.

Loran Wilkes moved the Treasurer's Report dated February 29, 1984 be approved with the Council discussing Certificate of Deposit No. 4626 at the end of the meeting. The motion was seconded by Mark Grube. All aye. Motion carried.

MUNICIPAL COURT REPORT

Anna Mary Landauer moved the Municipal Court Report dated February 13, 1984 be approved. The motion was seconded by John Novak. All aye. Motion carried.

SCANNED

3-7-84 - LA

REQUEST FROM CITIZENS

Mr. Marion McBrien said he had nothing against the Police Department; however, there are increasing numbers of speeders on Parallel near 150th Street late at night and in the early morning hours. He suggested the police department patrol this area more with radar. He said this would also increase the revenue for the City from the fines.

SPECIAL USE PERMIT - MOBILE HOME

An application for renewal of a Special Use Permit for a mobile home for Mrs. Hoffman's mother was submitted by Mr. and Mrs. James Hoffman. The application had been signed by their adjacent neighbors and accompanied by a letter from Mrs. Hoffman's doctor stating a medical need.

Anna Mary Landauer moved the Special Use Permit for a mobile home submitted by Mr. and Mrs. James Hoffman be approved for another year. The motion was seconded by Mark Grube. All aye. Motion carried.

ANIMAL CONTROL

Mr. Wilson, Animal Control Officer, stated Dr. Wasson had increased his boarding fee to \$6.00 per day, an increase of \$2.00 per day. At the present time the City is paying Dr. Wasson \$6.00 per day for 5 days board and \$18.00 for euthanasia and cremation of dogs taken to his clinic in Tonganoxie. Mr. Wilson said he has contacted Dr. T. A. Stolfus in Bonner Springs who has agreed to board dogs for \$3.00 per day and dispose of the animals by euthanasia for \$5.00 each. He requested the City enter into an agreement with Dr. Stolfus to board and dispose of animals for the City of Basehor.

Anna Mary Landauer moved the City begin using T. A. Stolfus, D.V.M., for boarding and disposal of animals subject to an agreement being signed by the City and Dr. Stolfus. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

Mr. Wilson requested the present boarding time for dogs of five days be changed to three days. Mrs. Guy pointed out the ordinance had been changed to four days; however, the City had been boarding dogs for five days at the present time.

In discussion there was concern that boarding dogs for three days would not give owners enough time to claim their animals. Mr. Novak said persons on vacation whose dog is being watched by someone else could get loose and picked up. By the time the owner returned from vacation it would be too late to claim their dog. Mr. Wilson said if he knows the owner of the animal he tries to contact them prior to taking to the veterinarian and if they are on vacation he holds the animal until the owner returns. Most of the animals picked up do not have any tags.

Loran Wilkes moved the City change its policy of boarding dogs from the present four days to three days. The motion was seconded by Anna Mary Landauer. Loran Wilkes and Anna Mary Landauer voted Aye. John Novak, Bob Van Cleave and Mark Grube voted No. The motion did not carry. Mr. Novak said he would change his vote to Aye if there was a written directive on this.

INTRODUCTION OF BILL HOFFMAN

Bob Van Cleave introduced Bill Hoffman who is running for County Commissioner. Mr. Hoffman, from the Fairmount area, said he is interested in our area and would probably be attending future Council Meetings.

NATIONAL FLOOD INSURANCE

Mr. Thompson presented a proposed ordinance which meets the minimum requirements of the National Flood Insurance Program. This ordinance was based on a draft submitted by the Federal Emergency Management Agency. He said the City previously entered the flood insurance program by resolution and this ordinance would establish the City under the regular flood insurance program from the present emergency status. The ordinance provides for a permit procedure whereby if someone wants to build in a designated flood plain they must go through the permit procedure which will be handled by the City Inspector. Passage of this or a similar type ordinance is necessary in order for property in the City to be eligible for coverage by the National Flood Insurance Program.

John Novak moved Ordinance No. 175 relating to regulation and enforcement of designated flood plains in Basehor in accordance with the National Flood Insurance Program be adopted. The motion was seconded by Anna Mary Landauer. Anna Mary Landauer moved reading of Ordinance No. 175 be waived. The motion was seconded by Mark Grube. The Council members voted Aye on both motions. Motions carried.

ORDINANCE NO. 175 - ADOPTING PROCEDURE FOR PROPERTY IN THE CITY OF BASEHOR DESIGNATED FLOOD PLAIN AREA IN ACCORDANCE WITH NATIONAL FLOOD INSURANCE PROGRAM.

CODE ORDINANCES

Mr. Thompson said he is in the process of reviewing the various code ordinances as discussed at the last meeting. He will incorporate the latest editions of the codes into an ordinance for presentation at the next meeting.

Mr. Thompson said he contacted the League of Municipalities to determine the procedure used by other cities regarding licensing of plumbers, electricians, etc. He said there are basically three problems with regulation encountered by small cities: (1) must have qualified people on licensing board; (2) getting people on the board in a small city who would not have a conflict in acting in the interest

of the City and not in their own interest; (3) creates a situation of continued regulation. The League of Municipalities advised adopting an ordinance requiring the various trades to obtain a permit for a fixed fee, provide a bond or proof of insurance and agree to abide by the various codes adopted by the City.

Mr. Thompson said there were several ways to go -- continue nonregulation of some of these areas, adopt regulation either in licensing board or permit procedure. Mr. Novak asked if persons doing their own work on their house would be covered by regulation. Mr. Thompson said his opinion would be only those persons receiving a fee for their work would come under this regulation.

After considerable discussion regarding permits and licenses, the matter was tabled until Mr. Thompson has an opportunity to review possible ordinances regarding building codes.

#### WEIGHT LIMITATIONS

Mr. Thompson said the Council has had an opportunity to review three proposed ordinances regarding weight limitations on the streets. Chief Beth said as far as enforcement he prefers the two hour limitations for parking and use of the state licensing weight designation.

Mr. Thompson suggested combining the ordinances using the weight limitation ordinance and adding a provision for a two hour grace period for parking with no permit required. Mr. Novak suggested adding the amount of penalty to the ordinance to include a fine of \$25.00 to \$500.00. Mr. Thompson will rewrite the ordinance to include the additional provisions and resubmit it to the Council at the next meeting.

#### HODGE PROPERTY

Mr. Thompson said he received a letter from Mr. Hodge's attorney, Mr. Kugler, regarding Mr. Hodge's compliance with City ordinances. Mr. Hodge contends that by getting a building permit initially for the mobile home he has a permanent fixture on his property and it is not necessary for him to go through approval of an annual special use permit. Mr. Thompson said that even though there might have been some irregularities in issuing the original permit it does not cloth Mr. Hodge with the ability to claim a permanent structure.

Mr. Van Cleave said that a special use permit for a mobile home allows a variance to the zoning; however, a building permit is to insure the adequacy of the building and does not grant a zoning change. Mr. Thompson suggested that without taking a position on the legality of the original building permit issued, a letter be sent to Mr. Kugler requiring Mr. Hodge go through the procedure of obtaining a special use permit for the mobile home.

Loran Wilkes moved any action by the Council on the Hodge matter be deferred until the April Meeting. The motion was seconded by Mark Grube. All aye. Motion carried.

SOUTHWESTERN BELL CLAIM FOR DAMAGES

Mr. Thompson said he has received a letter from Southwestern Bell claiming damage to their lines, in the amount of \$2,284.05, by a contractor the telephone company contends is an employee of the City. Mr. Thompson said that since this may involve a potential lawsuit the Council should discuss this matter of liability in Executive Session.

Loran Wilkes moved the Council go into Executive Session to discuss the matter of the claim by Southwestern Bell. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

Mayor Tuter said this matter would be taken up at the end of the regular business meeting and prior to adjournment.

ANNEXATION - SOUTH LAGOON

Mrs. Guy brought to the attention of the City Council that the South Lagoon is not within the city limits of Basehor and as such the City may not have any enforcement there. It was the consensus of the Council that his property should be in the City.

Anna Mary Landauer moved the South Lagoon be recommended to be included in the City limits of Basehor. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

Mayor Tuter asked Mr. Thompson to look into the legal requirements and this matter will be referred to the Planning Commission for their recommendations.

CITY BUILDING

Mayor Tuter reported that Phil Schuetze has started work on the floor of the City Building. His quote as of September 27, 1983, of \$1,985.00 was increased to \$2,105.00 because of the increase in concrete costs. He will pour the concrete as soon as weather permits.

STREETS AND POTHoles

Mayor Tuter said the City will need to get a couple loads of cold patch to repair the city streets.

Anna Mary Landauer moved the Council approve getting two loads of cold patch to repair the city streets. The motion was seconded by Loran Wilkes. All aye. Motion carried.

POLICE CAR

Mayor Tuter reported receiving a letter from Jan Way, Attorney for the City of Edwardsville, offering to sell Basehor their 1981 LTD Ford, 4 door police car for \$2,000, exchange. Mayor Tuter said this car has a heavy duty police package, Motorola 2 channel radio, light bar and siren. Mayor Tuter said the resale value of the car without the extra equipment ranges between \$3,500 and \$4,800.

Mayor Tuter explained that Edwardsville has purchased a new police car and is having new equipment installed on their car at Laurel Electronics at a cost of \$2,082.00. Edwardsville would like Basehor to pay the \$2,000 to Laurel Electronics in exchange for the car. Mayor Tuter said the car is mechanically good and the body is not rusted. He said the seat is in need of repair.

Mayor Tuter said one of the reasons Edwardsville is offering this car to Basehor is because two of the Edwardsville part-time officers have been going through our Police Training Class at no charge to them. Mayor Tuter recommended if the new car is purchased we keep the 1973 Ford Police car now being driven by Chief Beth until it no longer runs and using the new car as a primary or secondary car with the Nova Police car now in use. He said there is money in the police budget for equipment.

Loran Wilkes moved the City of Basehor purchase the 1981 Ford LTD, 4 door, police car from the City of Edwardsville with payment being made to the company installing equipment on Edwardsville's new police car in exchange for the 1981 Ford. The motion was seconded by Mark Grube. All aye. Motion carried. A discussion followed regarding methods of paying for the new car. It was decided to pay for the vehicle out of the equipment fund at this time.

TRUST JOINDER RESOLUTION

Mrs. Guy presented a Trust Joinder Resolution for the Council's approval. This resolution, if approved, would allow the City to join the League of Kansas Municipalities in sharing any dividends paid by Preferred Risk Insurance, the City's new insurance carrier. Acceptance of this resolution would not cost the City anything and should dividends be authorized due to a low amount of claims by cities participating with Preferred Risk, the City would benefit. If the City does not participate the League of Kansas Municipalities would receive the City's share.

Mark Grube moved the City adopt the Trust Joinder Resolution as proposed. Anny Mary Landauer seconded the motion. All aye. Motion carried.

Loran Wilkes asked Mrs. Guy to check with our insurance carrier to determine if a percentage of our premiums are being returned to our local fire department.

BUDGET WORKSHOP

Mrs. Guy said a Budget Workshop sponsored by the Department of Administration of the State of Kansas is scheduled for April 3, in Edgerton, Kansas. She said this is a workshop to assist in the preparation of the budget and requested permission for both her and JareScherer to attend.

Anna Mary Landauer moved the City Clerk and the City Treasurer be authorized to attend the Budget Workshop April 3 in Edgerton, Kansas, with the city covering the expense of mileage and meals. The motion was seconded by Loran Wilkes. All aye. Motion carried. Bob Van Cleave indicated he would also like to attend this workshop at his own expense.

COMMUNITY BLOCK GRANT WORKSHOP

Mrs. Guy said there is a Community Block Grant Workshop for Small Cities being held in Ottawa, Kansas on April 5. She requested permission to attend this meeting. Mr. Van Cleave said he attended this meeting last year and felt Mrs. Guy would benefit from attending. Mr. Wilkes and Mayor Tuter also indicated an interest in attending.

Mark Grube moved the City Clerk be approved to attend the 1984 Kansas Small Cities Community Development Block Grant Program Workshop in Ottawa on April 5th with the City covering the expenses of mileage and meals.

Mayor Tuter said any other Council members wishing to go should let Mrs. Guy know by March 15.

LETTER TO REALTORS

Mrs. Guy said she gave a memo to the Council members updating them on various activities she has been working on. One of these is sending a letter to the realtors, abstract and title companies in the area advising them of our policy regarding delinquent sewer and solid waste charges. Mr. Wilkes suggested sending a copy of the letter to the Multiple List Realtors office in Wyandotte County.

MAINTENANCE AGREEMENT - CALCULATOR

Mrs. Guy said she received a renewal form for continued maintenance on the Monroe calculator in the amount of \$61.00. She said this calculator has received a lot of use and needed service three times last year; however the previous city clerk used Leavenworth Office Supply for the repair twice even though there was a maintenance agreement with Monroe. Mr. Grube said he is not in favor of maintenance agreements on calculators.

John Novak moved approval of the maintenance agreement with Monroe on the calculator through March 1, 1985. The motion was seconded by Anna Mary Landauer. John Novak, Anna Mary Landauer, Loran Wilkes and Bob Van Cleave voted Aye. Mark Grube voted No. Motion carried.

COMPUTER

Mrs. Guy said that after contacting a number of companies about computers and comparing prices and options available, the OIS 40 Wang Computer would appear to meet the needs of the City now and in the future. She said a computer would save a great deal of time in posting and preparation of bills for sewer and solid waste as well as many applications using the work processing capabilities.

Mrs. Guy said Mr. Wilkes, Mrs. Landauer and Mr. Van Cleave had an opportunity to see the OIS 40 first hand. She said it would take at least eight weeks after the computer is ordered for delivery and it could coincide to completion of the new offices. Mrs. Guy said the cost of the OIS 40 is \$8,200.00 plus approximately \$275.00 for the tractor feeder and \$1,500.00 for a custom program for the sewer and solid waste billing.

Mr. Grube said he talked at greath length with the representative from Wang regarding the capabilities of the system, etc. and he feels the word processing capabilities alone make this a worthwhile system to have and adding on the data processing could be a real time saver. His only concern was that the program written for the sewer and solid waste billing be written by a reliable individual and that details of the program be spelled out. He said a computer of this type would make our City Clerk more of an administrative position as opposed to a clerk typist. This would allow her more time to investigate other money saving programs for the city.

Mr. Wilkes moved the City purchase the Wang OIS 40 as outlined above with delivery to coincide with completion of the new city offices in order to have a safe place to keep it. The motion was seconded by Mark Grube.

Mr. Novak said he did not feel the City could justify a cost for a computer based on its population and number of houses just to do a sewer and trash billing. He expressed concern that if Mrs. Guy should leave the City we would have to train someone else to operate the system. Mrs. Guy said it would be easier to train someone to operate the computer than it would be to explain the current system for sewer and solid waste billing. Mr. Novak said he would rather spend \$10,000 for a new police car that would save lives than for this type equipment.

Mr. Grube said another advantage to a computer system would be to archieve the information and put it in a safe place. At the present time if there was a fire all records of the city would be destroyed.

Mayor Tuter reminded the Council that at one time the City felt the need for a road grader at a cost of over \$20,000. The road grader has proved to be not the best investment. The computer is half the price of the road grader and can only improve the operation of the city. He said the City office is now functioning

like a city office. He said the computer would be for the betterment of the City.

In voting on the above motion, Anna Mary Landauer, Loran Wilkes, Mark Grube and Bob Van Cleave voted Aye. John Novak voted No. Motion carried.

#### STREETS

John Novak suggested contacting the County about resurfacing our streets as they did last year. Mayor Tuter said he wanted to talk with Bruce Browne, City Engineer, regarding street conditions and this could be discussed at the April meeting.

#### GATES AT LAGOONS

Mr. Wilkes said he talked to Mike Bilyk regarding putting cable gates at the entrance to the lagoons. Mr. Bilyk said he would like to see gates installed that would prohibit bicycles from going under them and cables would not do this.

Mr. Wilkes said he checked into prices of gates and posts. Square tubular gates 18' - \$67.00; 14' - \$57.00 and \$12.00 per hour for attaching hang rs. Mr. Wilkes said he felt this type gate would also be a more permanent closure.

Loran Wilkes moved approval of purchasing tubular gates and posts necessary to secure the entrances to the North and South Lagoons. The motion was seconded by John Novak. All aye. Motion carried.

#### MOTOR GRADER

The Council was in agreement to advertise the motor grader for sale in the Kansas Government Journal and accept bids on same.

#### RADAR GUN

Mr. Grube said he felt the interest on the lease agreement for the MPH radar gun approved at last month's meeting was excessive and the City should pay cash. Mrs. Guy said the City could pay for the radar gun within 90 days and still not pay any interest.

Mark Grube moved we not exercise the lease on the MPH Radar Gun and pay cash for it. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

#### CERTIFICATE OF DEPOSIT

Mark Grube moved the Certificate of Deposit No. 4626 in the amount of \$15,000 be reinvested the same way at First State Bank. The motion was seconded by John Novak. All aye. Motion carried.

ADJOURNMENT TO EXECUTIVE SESSION

Anna Mary Landauer moved the Council adjourn to Executive Session to discuss the possible litigation by Southwestern Bell. The motion was seconded by Mark Grube. All aye. Motion carried.

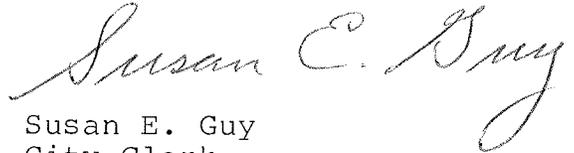
Mayor Tuter advised others present that this would be the only matter discussed in Executive Session and would be followed by adjournment.

EXECUTIVE SESSION

ADJOURNMENT

Following Executive Session Mark Grube moved the City Council meeting be adjourned. The motion was seconded by Loran Wilkes. All aye. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Susan E. Guy". The signature is written in dark ink and is positioned above the typed name and title.

Susan E. Guy  
City Clerk