

BASEHOR
CITY COUNCIL MEETING

May 1, 1984
7:30 P.M.
Fairmount Township Hall

PRESENT: Anna Mary Landauer, President
John Novak
Bob Van Cleave
Loran Wilkes

ABSENT: Mark Grube

PRESIDING: Forrest L. Tuter, Mayor

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

MINUTES

The minutes of the April 3, 1984 meeting were presented for review. John Novak moved the minutes of the April 3, 1984 Council meeting be approved. Anna Mary Landauer seconded the motion. All aye. Motion carried.

Minutes of the Special Meeting held April 19, 1984, were reviewed. Loran Wilkes moved the minutes of the April 19, 1984, Special Meeting be approved as presented. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

TREASURER'S REPORT

Mayor Tuter pointed out a bill from Dr. Stolfus included some uncollected charges from a Basehor resident whose dog had been impounded. When Brian Lewis went to Dr. Stolfus' office to pick up his impounded dog he did not have the money to pay the impoundment and boarding charges. Mr. Lewis insisted he would take his dog and the situation reached a point that Dr. Stolfus thought it best to allow Mr. Lewis to take his dog and sign an I.O.U. Part of the money Mr. Lewis owes is actually to the City. John Thompson will write a letter to Mr. Lewis in an attempt to collect this money.

SCANNED

3-7-07 et

It was pointed out the City has been paying the monthly bill for the security light for the Fairmount Township Hall. It was decided the City would continue to pay this until the new City building is finished and the City no longer uses the Township facilities.

Loran Wilkes moved the Treasurer's Report dated April 30, 1984, be approved. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

MUNICIPAL COURT REPORT

Bob Van Cleave moved the Municipal Court dated April 9, 1984, be approved as presented. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

AGENDA CHANGE

Mayor Tuter said he would like to change the order of items on the Agenda so that he might leave the meeting early.

REAPPOINTMENT OF CITY OFFICIALS

Mayor Tuter submitted the following City Officials for reappointment for another year:

CITY ATTORNEY -- Anna Mary Landauer moved John Thompson be reappointed as City Attorney. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

CITY ENGINEER -- John Novak moved Bruce Browne be reappointed as City Engineer. The motion was seconded by Anna Mary Landauer. Loran Wilkes said he was not happy with Mr. Browne's inspection of the streets or lagoons. Mr. Van Cleave said it would be difficult to find someone to replace Mr. Browne for the amount we are paying him. In a vote, Bob Van Cleave, John Novak and Anna Mary Landauer voted aye. Loran Wilkes voted no. Motion carried.

MUNICIPAL COURT JUDGE -- Anna Mary Landauer moved Harry B. Reese be reappointed to the position of Municipal Court Judge. The motion was seconded by Loran Wilkes. Anna Mary Landauer, John Novak and Loran Wilkes aye. Bob Van Cleave abstained. Motion carried.

CHIEF OF POLICE -- Loran Wilkes moved Lloyd Beth be reappointed as Chief of Police. Seconded by Anna Mary Landauer. All aye. Motion carried.

POLICE OFFICERS -- Anna Mary Landauer moved the following be reappointed as police officers: Micheal Webb, James Michael Blancarte, Michael Burdolski and Clifford Cecil. The motion was seconded by Loran Wilkes. All aye. Motion carried.

RESERVE POLICE OFFICERS -- John Novak moved Leland Huff be reappointed reserve police officer at one dollar per year. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

Chief Beth requested that Jean Hedges be appointed as a reserve police officer. He said Mrs. Hedges has attended the training classes and would be an asset for the police department.

Anna Mary Landauer moved Jean Hedges be appointed reserve police officer at one dollar per year. The motion was seconded by Loran Wilkes. All aye. Motion carried.

ANIMAL CONTROL OFFICER -- Anna Mary Landauer moved Donald Wilson be reappointed Animal Control Officer. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

CITY CLERK -- Loran Wilkes moved Susan Guy be reappointed as City Clerk. Anna Mary Landauer seconded the motion. Loran Wilkes, Anna Mary Landauer and Bob Van Cleave voted aye. John Novak no. Motion carried.

MUNICIPAL COURT CLERK -- Loran Wilkes moved Susan Guy be reappointed as Municipal Court Clerk. The motion was seconded by Bob Van Cleave. In discussion Anna Mary Landauer asked if Mrs. Hedges could serve in this position. Mayor Tuter said he would like Mrs. Hedges to have more experience before taking on other duties. Bob Van Cleave said it would be difficult to separate the duties of the City Clerk and Municipal Court Clerk in a small City. Loran Wilkes, Anna Mary Landauer and Bob Van Cleave voted aye. John Novak voted no. Motion carried.

CITY TREASURER -- Anna Mary Landauer moved Jane Scherer be reappointed as City Treasurer. The motion was seconded by Loran Wilkes. All aye. Motion carried.

BUILDING INSPECTOR -- Loran Wilkes moved Richard Hayes be reappointed as Building Inspector. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

Mayor Tuter said until Mr. Hayes becomes certified he does not intend to appoint him Wastewater Treatment Operator. He said Mr. Wilson works by the hour for street maintenance and an appointment is not necessary. Mr. Hayes will continue to do the work of the Wastewater Treatment Operator as did Mr. Jordan in the past.

PLANNING COMMISSION AND BOARD OF ZONING APPEALS

It was reported there are vacancies on both the Planning Commission and the Board of Zoning Appeals. John Novak suggested the boards be asked to submit recommendations to fill the vacancies on their boards. Mayor Tuter said he would not be making any appointments to the Planning

Commission at this time until conferring with Mr. Brandt, Chairman. He said Loran Wilkes had advised Mr. Crum would like to serve on the Planning Commission and he would like to talk to Mr. Crum about this.

Mayor Tuter advised he had to leave the meeting and turned the chair over to Mrs. Landauer, President of the Council.

PRESIDING: ANNA MARY LANDAUER, PRESIDENT

ANNEXATION

John Thompson presented two ordinances regarding annexation. The first ordinance annexes the South Lagoon into the City limits. The second ordinance declares the entire boundary of the City of Basehor, including the South Lagoon. He said this is necessary every time the City annexes property within a year.

John Novak moved Ordinance No. 177 regarding annexation of the South Lagoon be adopted. Loran Wilkes seconded the motion. All aye. Motion carried.

Bob Van Cleave moved the Council waive the reading of Ordinance No. 177. The motion was seconded by Loran Wilkes. All aye. Motion carried.

ORDINANCE NO. 177 - AN ORDINANCE RELATED TO AND PROVIDING FOR THE ANNEXATION OF CERTAIN LAND, TRACTS, LANDS OR PIECES OF LAND, PLATTED OR UNPLATTED, TO THE CITY OF BASEHOR, KANSAS, AND DESCRIBING SUCH LAND, LANDS AND/OR TRACTS OR PIECES OF LAND.

Bob Van Cleave moved an emergency be declared and second reading be waived and Ordinance No. 177 to become effective immediately upon its publication. The motion was seconded by John Novak. All aye. Motion carried.

Loran Wilkes moved Ordinance No. 178 declaring the entire boundary of Basehor be approved. Bob Van Cleave seconded the motion. All aye. Motion carried.

ORDINANCE NO. 178 - AN ORDINANCE DECLARING THE ENTIRE BOUNDARY OF THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS AS OF MAY 1, 1984, AS REQUIRED BY K.S.A. 12-517.

Bob Van Cleave moved an emergency be declared and reading of Ordinance No. 178 be waived and Ordinance No. 178 to become effective immediately upon its publication. The motion was seconded by Loran Wilkes. All aye. Motion carried.

MUNICIPAL COURT PROCEDURE

John Thompson provided the Council with an Ordinance adopting by reference the State Code for Municipal Courts. He said the ordinance

previously adopted refers to a statute totally unrelated to the statute on municipal courts.

John Novak moved for approval of Ordinance No. 179 relating to the State Code for Municipal Courts. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

ORDINANCE NO. 179 - AN ORDINANCE ADOPTING BY REFERENCE THE KANSAS STATE CODE FOR MUNICIPAL COURTS; REPEALING ANY AND ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR SESSIONS OF THE BASEHOR MUNICIPAL COURT.

Loran Wilkes moved the Council waive reading of Ordinance No. 179 and declare an emergency. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

GREEN RIVER ORDINANCE

John Thompson said after talking to the League of Kansas Municipalities about the Green River Ordinance he is convinced it would be in the best interest of the City to adopt a new solicitation ordinance. He said he will have a proposed ordinance for the next meeting.

DOG ORDINANCE

Mr. Thompson said at the request of the Council he reviewed the four existing ordinances pertaining to dogs in an effort to combine them into one ordinance. Mr. Thompson submitted a draft of the combined dog ordinances and suggested the Council review this and discuss it at the June Council Meeting.

Mrs. Landauer pointed out that at the last Council Meeting it was agreed to change the license fee for dog licenses to \$3.00 for all dogs. In order for the new licenses to be sold at this amount Mr. Thompson suggested Amending Section 3 of Ordinance No. 104 as it pertains to the license fee for dogs.

Loran Wilkes moved that Section 3 of Ordinance No. 104 providing for the license fees for dogs be amended to provide a fee of \$3.00 for all dogs and that an emergency be declared, reading of the ordinance be waived and the ordinance to become effective after its publication in the Basehor Sentinel. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

ORDINANCE NO. 180 - AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 104 PROVIDING FOR THE LICENSE FEES FOR DOGS.

OPEN RECORDS

John Thompson said he provided the Council with copies of a proposed ordinance and resolutions regarding the Open Records Act. Mr. Novak asked if there was a penalty for not passing such an

ordinance. Mr. Thompson said this is the procedure mandated by a change in the statutes which provides that the city must follow this procedure under the open records act. Mr. Thompson recommended the Council adopt the two resolutions provided and also adopt the ordinance concerning the procedure. He said there are some blanks in the resolutions and ordinance which would require the council to set some fees for providing information when it is requested.

Mr. Novak expressed concern that the Council was going to be paying the newspaper a lot of money for publication of all these ordinances passed at this meeting.

Mr. Thompson said the procedure actually went into effect January 1. Mr. Thompson said that although there are no penalties for adopting a procedure the City could leave themselves open for a lawsuit if they do not adopt this procedure.

Mr. Thompson suggested the Council give consideration to the fees to be charged for the various services and discuss this matter again at the next Council meeting.

BUILDING CODES

Mr. Thompson said he presented drafts of ordinances regarding adoption of the various building codes by reference at the last meeting. He said the codes which are adopted by reference previously were adopted without regard to the permit fees and licenses in these codes. Mr. Thompson suggested eliminating any kind of licensing or permit procedure for professionals and provide in the building permit a declaration that the applicant will adhere to the codes as established.

Mr. Wilkes said licensing would require someone to administer an examination, etc. and this would not be practical in a city the size of Basehor.

Mrs. Guy provided the Council with a draft of a proposed building permit. Mr. Thompson said he would prepare ordinances adopting these codes by reference and eliminating the permit and licensing procedure and have these available for the next Council meeting.

Bob Van Cleave moved this matter be tabled until the June Council meeting. The motion was seconded by Loran Wilkes. All aye. Motion carried.

Mr. Novak asked how the City charges for building permits. Mrs. Guy said there is a charge of \$3.00 per thousand dollars estimated construction cost with a minimum of \$15.00. Mr. Thompson said the new codes provide different fees than the City has been charging. This matter will be reviewed at the next meeting.

SMITH ENTERPRISES

Mr. Thompson advised that the claim for damages to telephone cables by Southwestern Bell Telephone against the City and Smith Enterprises has been turned over to Western Casualty, the City's insurance carrier at the time the claim was made.

OATH OF OFFICE

Mr. Thompson said he drafted an Oath of Office form to be signed by all officers and employees receiving pay from the City. This Oath must be signed each time an appointment or reappointment is made and it must be notarized.

STREETS

Mrs. Guy advised Mr. Browne had not supplied a list of streets needing resurfaced. It was reported Mr. Wilson was in the process of patching and filling potholes.

Mrs. Guy said she had talked to the County about chipping and sealing streets in Basehor. She said at that time they had not made the schedule yet but are aware of our interest in being included in the scheduling.

John Novak said he visited with Mel Hedrick at the Courthouse last week regarding blacktopping Leavenworth Road west from 73 Highway. Mr. Hedrick advised we should request to have Leavenworth Road put on the County's scheduled five-year plan for street improvements. The Council was in agreement that we should send a letter requesting that Leavenworth Road be added to the County's schedule of street improvements for paving from 73 Highway west through Basehor. Mrs. Guy will send a letter to the County requesting this.

RESERVE OFFICER

Chief Beth requested Forrest L. Tuter be reappointed as a Reserve Officer at \$1.00 per year. Loran Wilkes moved Forrest L. Tuter be reappointed as a Reserve Officer at \$1.00 per year. The motion was seconded by John Novak. All aye. Motion carried.

Chief Beth said that all unpaid police officers will be required to work 16 hours a month to continue to hold their commission. John Novak asked if this was a Council matter or a department procedure. Chief Beth said this was a departmental procedure.

FIRING RANGE

Chief Beth said the officers would be going to the firing range May 5 and 3,000 rounds of ammunition would be needed. Cost is about \$95.00 per 1,000 rounds. He said the state requires certification every year; however the courts prefer every six months.

Loran Wilkes moved the City buy 3,000 rounds of ammunition for the firing range. The motion was seconded by John Novak. All aye. Motion carried.

VACUUM CLEANER

Chief Beth requested the City purchase a wet and dry vacuum cleaner for use in cleaning the office and the police cars. Bob Van Cleave suggested Chief Beth get prices and present them to the Council.

NEIGHBORHOOD WATCH PROGRAM

Chief Beth said he would like to get the Neighborhood Watch Program started in the next thirty (30) days. Mrs. Landauer said she had heard comments from individuals who would be interested in the program. Mr. Wilkes expressed concern that the new outdoor theater might cause some problems for the area.

Mrs. Landauer asked if a date had been set for a meeting on the Neighborhood Watch. Chief Beth said letters were previously sent to various groups and none of them responded. Chief Beth said he will talk to the school about meeting there and will advise when a meeting date has been set. Mrs. Landauer asked how persons will be advised of the meeting. Chief Beth said word of mouth would probably be effective. It was also suggested he put a story in the Basehor Sentinel.

SEWER QUARTERLY REPORTS

Mrs. Guy said she contacted Q.W.A.L. Laboratories in Pittsburg Kansas and was advised they would analyze samples from both lagoons and prepare our quarterly monitoring reports for a total price of \$44.50. Presently we are paying General Testing Laboratories \$140.00 in addition to the time involved in delivering the samples and the Engineer's time in preparing the reports. Q.W.A.L. uses Gelco Bankers Dispatch to pick up the samples. The only other cost to the City is a deposit of \$10.00 on the cooler used for transport.

Loran Wilkes moved the City begin using Q.W.A.L. Laboratories for analyzing samples from the lagoons. The motion was seconded by John Novak. All aye. Motion carried.

CITY-COUNTY HEALTH DEPARTMENT

The Council discussed a letter received from the County Commissioners regarding the City-County Health Department. It was the concensus of the Council a letter should be sent to the County Commissioners expressing our interest in attending any meetings regarding this matter.

Mrs. Landauer said another letter was received from the Health Department regarding allowing septic tank pumping companies to dump in our lagoon. Mr. Wilkes said he did not believe there would be an adequate place for dumping at the lagoons. It was decided this matter would be tabled until such time as the Council meets with the County Commissioners.

MAY CITY DISTRICT MEETINGS

Mrs. Landauer said a May City District Meeting would be held in Lawrence May 31. Bob Van Cleave expressed interest in attending the afternoon session in Lawrence. Mrs. Guy said if her schedule permits she would like to attend. It was the concensus of the Council Mrs. Guy did not need a motion from the Council to attend the meeting. There is no charge for the afternoon sessions. Mr. Van Cleave said if he attended the evening meeting he would pay the \$15.00 registration himself.

BUDGET WORKSHOP

A budget workshop will be held in Lenexa on June 21. Registration fee of \$5.00 is charged for each person attending the workshop which must be received at least two weeks prior to the workshop date. This matter will be taken up at the June Council meeting.

COMMUNITY BLOCK GRANT MEETING

Mrs. Guy reported the Community Block Grant Meeting was very informative and the grant program could be a very useful tool for Basehor. Loran Wilkes and Mrs. Guy both attended this meeting. Mr. Wilkes said the meeting was well worth attending and was geared toward small cities. Mrs. Guy said the information received at the meeting is in a book at the City Office and would be available for review by the Council.

CIVIL DEFENSE

John Novak said he thought the City should consider appointing a Civil Defense Director for Basehor and establish a plan for the area. He said Chuck Newman, Richard Warden and Charles Peterson have been mentioned in the past as candidates for director.

Mrs. Landauer appointed Lloyd Beth, Loran Wilkes and John Novak to look into this.

SEWER BILLS

John Novak said he received a complaint about the sewer bills being late. Mrs. Guy said the sewer bills were late being mailed but ordinance provides for 15 days for payment before a penalty is added. She said she sent letters explaining this to persons complaining about the bills.

TEMPORARY NOTES/BONDS

Bob Van Cleave said he thought the City should take under consideration the matter of combining the temporary notes on streets and

sewers into one bond issue. He said if the Council could reach a decision on this, provisions could be included in the budget for the bonds.

Bob Van Cleave moved the Council advise Jack Steineger, Bond Attorney, begin drawing up public utilities bonds. John Novak seconded the motion.

In discussion Loran Wilkes asked what amount of money we would be talking about. Mr. Van Cleave said he had no idea but about \$14,000 a year could be paid off in sales tax. Mr. Wilkes said he would be in favor of getting facts and figures together before making any decision. Mr. Novak said he would like to discuss this matter in a Special Meeting. Mr. Wilkes said he would like to put off the motion until such time that the full Council is present with the Mayor. Mrs. Guy was asked to contact someone from the Department of Administration regarding attending a meeting to inform the Council on the use of Temporary Notes and General Obligation Bonds and the budget.

EYERLY'S CAFE DAY

Mr. Van Cleave said Eyerly's Cafe would be closing May 31 and thought it would be appropriate to honor Lou and Jeane Haney who have been operating the cafe for the last five years.

Bob Van Cleave moved the Council request the Mayor, if he so desires, to proclaim May 24 as Eyerly's Cafe Day in honor of Lou and Jeane Haney. The motion was seconded by John Novak. All aye. Motion carried.

DUMP TRUCK

Loran Wilkes said the dump truck is in need of maintenance. He said he would like to have Don Wilson to see that the truck gets tuned up and the wheels greased, etc. He said the mower also needs repair to get the cutting bar out of the rocks. He said it is a problem mowing the lagoons because the fence was not set back and it is impossible to get the blade close to the fence.

John Novak moved that the equipment be tuned up and necessary repairs be made. The motion was seconded by Loran Wilkes. Mr. Wilkes said he would like to see the dump truck taken to the Ford dealer in Bonner Springs. All aye. Motion carried.

PLANNING COMMISSION

Stephen Hill presented a proposal on new subdivision regulations regarding streets. This proposal would eliminate the need for curbs and gutters in a new subdivisions and would provide for the sewer line to run on one side of the street and a sidewalk on the other side.

He also said there was a need for updating the City's Comprehensive Plan. He said there was a proposal from Bill Kiesling, Planning Consultant to update the comprehensive plans for several cities including Basehor and request assistance in funding through the Community Block Grant Program. Mr. Hill said the estimated cost would be \$8,000 to upgrade the plan with a cost of about \$4,500 for the four cities.

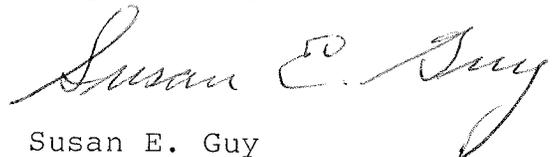
CITY BUILDING

Mrs. Landauer said the Council has been provided with copies of the Preliminary Plans for completion of the City Building. The bill from Baron Built Homes in the amount of \$125.00 for the preliminary plans had already been approved at the Special Council Meeting on April 19, 1984.

The Council discussed the various proposals; however, did not reach a conclusion before Mr. Novak had to leave the meeting. Before leaving Mr. Novak moved he would vote for anything if it did not exceed an \$18,000 expenditure. Mr. Novak then left the meeting without getting a second to his motion.

Since there was no longer a quorum and the Council could not take any action on the plans the meeting adjourned at 10:50 p.m.

Respectfully submitted,



Susan E. Guy
City Clerk