

MINUTES

BASEHOR CITY COUNCIL

September 4, 1984  
7:30 p.m.  
Fairmount Township Hall

COUNCIL PRESENT: Mark Grube  
John Novak  
Bob Van Cleave  
Loran Wilkes

PRESIDING OFFICER: Anna Mary Landauer, President

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

MINUTES

The minutes of the August 14, 1984 regular Council meeting were reviewed. Loran Wilkes moved the minutes of the August 14, 1984 Council meeting be approved as presented. The motion was seconded by Mark Grube. All aye. Motion carried.

TREASURER'S REPORT

Mark Grube moved the Treasurer's Report dated August 31, 1984, be approved with Certificate of Deposit No. 4626 due September 7, 1984, in the amount of \$15,000.00 being cashed in and deposited in the Money Market Account. The motion was seconded by Loran Wilkes. All aye. Motion carried.

MUNICIPAL COURT REPORT

John Novak moved the Municipal Court Report dated August 13, 1984, be approved as presented. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

LIBRARY

Kon Martin appeared requesting use of the meeting room in the new City Building for use as a library for a period of approximately two years. She said the library committee would provide the shelving, cleaning of the room and supervision during the hours of operation. Mrs. Martin said the hours could be set around the city's activities and probably would operate a couple days a week, a few evenings a week and on Saturday.

SCANNED

3-7-07 *st*

Mr. Wilkes said he would only consider the library for the basement area. Mr. Novak said he would rather have it upstairs. Mr. Grube pointed out if the library operates in this room other groups could not be excluded from using the room. Mrs. Martin was questioned on whether the shelves would be portable, insurance, etc. Mrs. Martin said the shelves could be either portable or attached and the library would carry the necessary insurance.

Bob Van Cleave moved the City allow the Library to have use of the meeting room as a library providing they provide all shelving and necessary implements for a period of one year and see that the library is properly supervised at all times during its operation. The motion was seconded by Mark Grube.

Loran Wilkes said before this is approved he would like to see more definite plans as to schedule, etc. and get something in writing of their intentions.

Mrs. Martin was asked to present in writing a proposed schedule of the hours of operation, what equipment, etc. the library will provide, insurance to be carried, supervision, and any other details concerning the activity of the library.

Mr. Wilkes amended Mr. Van Cleave's motion that the use of the meeting room for a library would be subject to approval of the Council after it has received a written statement from the library committee. The amended motion was seconded by John Novak. All aye. Motion carried.

Mrs. Martin also asked if the City Council would have any objection to painting Bobcat paws on 155th Street for the Homecoming Parade scheduled for October 5. She also invited the Council to have a car in the parade. Although the Council took no official action on painting paws on the street, the Council members said they did not see any problem with this. Chief of Police Beth asked Mrs. Martin to advise when the painting would take place so they could provide traffic control during the painting.

#### SPECIAL USE PERMIT    JEFFERSON COUNTY CABLE/BREUER

Bob Watkins, representing Jefferson County Cable, said the Planning Commission had reviewed the application for a Special Use Permit for their cable TV tower on the Breuer property and referred it back to the City Council with no recommendation. He said the tower meets all zoning requirements; however, because its height exceeds 75 feet the setback requirement is increased by one foot for each foot in excess of the 75 foot height. He said the location of the tower meets this variance. Mr. Watkins said if the satellite dishes are determined to be a permanent structure then a variance in the zoning would be required for their location next to the property line fence. Mr. Watkins said the dishes were placed at this location to eliminate the possibility of interference from traffic in the area.

Mr. Novak questioned whether the owner of the property or the cable TV was requesting a Special Use Permit. Mrs. Guy said the application is from the owner of the property, Mr. Breuer, for the operation of a cable TV system. A discussion regarding the possibility of where the tower would land if it were to fall and the amount of insurance carried by Jefferson County Cable followed. Mr. Watkins said their company would pay for any additional insurance to adjoining property owners as a result of the location of their tower.

Mr. Novak questioned why the Planning Commission took no action on the application. Mr. Thompson said the issue to be addressed by the Council is whether to issue a special use permit. He said the tower now is in conformance with existing zoning requirements and the concern of the council would be if there is something to override the permit. Mr. Watkins stated that because of the height of the tower a special use permit would be necessary no matter where the tower was located on the property.

Mr. Bryant pointed out that although the tower might not fall on his existing building he might want to build something else on his property which would be in the path of the tower. Mr. Watkins said his company would provide any necessary coverage for new structures should this occur.

A discussion was held whether the satellite dishes should be considered a permanent structure. It was pointed out there are a number of satellite dishes in the City which would be affected by this decision.

Loran Wilkes moved that the Special Use Permit for a cable TV tower on the Breuer property be granted. The motion was seconded by Mark Grube. In a vote, Mark Grube and Loran Wilkes voted aye, John Novak No. Bob Van Cleave abstained stating that he had worked with Mr. Watkin's father in law since the beginning of this project and although he did not feel there was a legal conflict of interest he would rather abstain. Motion carried. Mr. Thompson said he feels the tower as it now stands complies with our ordinances.

John Novak moved the issue of whether the satellite dishes should be considered as permanent structures should be referred to the Board of Zoning Appeals. The motion was seconded by Mark Grube. In discussion it was pointed out that should they be considered permanent structures a variance would be required and if they are considered personal property the matter would drop at that point. On a vote on the motion, Loran Wilkes, Mark Grube and John Novak, aye. Bob Van Cleave abstained for the reasons given with the previous motion. Motion carried.

DOG ORDINANCE

The Council discussed the proposed ordinance regarding dogs and other animals in the City. Mr. Thompson said this ordinance has several provisions not now included in existing ordinances. There is a procedure for adoption of dogs and a means for issuing a citation for a dog that cannot be apprehended but can be identified as to its owner. It was determined the adoption fee would equal the impoundment fee and the fine should not exceed \$100.00.

Mr. Thompson said there was some question regarding the section on riding horses and mules on the sidewalks and pavements of Basehor. The Council was in agreement that this should not be permitted. Mr. Wilson said that if horses were not allowed on the streets many people would not be able to take their animals from one end of town to the other. It was decided that horses and mules would be allowed to ride on the pavement but not the sidewalks. Mr. Thompson will submit this ordinance to the Council with these revisions at the next meeting.

GREEN RIVER ORDINANCE

Mr. Thompson presented the Council with an ordinance regulating soliciting and vendors and repealing the existing Green River Ordinance. He said he has reviewed this with Mrs. Guy and felt this could be effectively enforced and administered. The Council was asked to review this proposed ordinance for consideration at the next meeting.

CHANGE OF MEETING LOCATION

An ordinance changing the location of the City Council Meetings, Municipal Court and City Planning Commission meetings beginning in October was submitted. Mr. Thompson pointed out that should the Mayor not sign this ordinance within thirty days it would automatically be approved; however, there would not be time for publication. He said if this happens a sign could be put on the door showing the change of location.

Bob Van Cleave moved approval of Ordinance No. 184 prescribing when and where regular meetings of the City Council, Municipal Court and Basehor Planning Commission are to be held, declaring an emergency and waiving second reading of said ordinance. The motion was seconded by Mark Grube. All aye. Motion carried.

ORDINANCE NO. 184 -- AN ORDINANCE PRESCRIBING WHEN AND WHERE REGULAR MEETINGS OF THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS SHALL BE HELD, AND PRESCRIBING WHEN AND WHERE SESSIONS OF THE BASEHOR MUNICIPAL COURT SHALL BE HELD, AND PRESCRIBING WHEN AND WHERE MEETINGS OF THE BASEHOR PLANNING COMMISSION SHALL BE HELD.

NEIGHBORHOOD WATCH

Chief Beth said they held two meetings of the Neighborhood Watch last month. He said there is interest in the Rickel addition to placing two signs on Elm Street. He requested the City to furnish the posts for these signs as the residence would be purchasing the signs at a cost of \$17.50 each.

Loran Wilkes moved the City furnish posts for the Neighborhood Watch signs on Elm Street. The motion was seconded by John Novak. All aye. Motion carried.

POLICE RADIOS

Chief Beth said the police department is having problems receiving all their calls from the dispatcher and the Sheriff's office. He requested the purchase of two radios for the police cars with a 100 watt capacity. He obtained prices from Midland at \$695.00; Johnson - \$1,800.00 and Motorola - \$2,230. He said a 100 watt unit could receive up to about 50 miles. The present units are 30 watt and are supposed to receive up to 30 miles.

Mark Grube questioned the extreme difference in price. Chief Beth said Midland is just getting into the low band units and this is an introductory price. Mr. Grube asked if they could try out the radios before purchasing to be sure they would meet our needs. Chief Beth said he would be in favor of trying the radio and could look into this.

Mr. Wilkes asked Mr. Beth about the radio the City recently purchased. Chief Beth said this is a Regency; however all the radios have been a problem in picking up some of the calls and this could endanger the officers.

Mark Grube moved Lloyd Beth be authorized to spend up to \$1,700 for two radios with trade-in on the old radios, subject to his approval and satisfaction. The motion was seconded by John Novak. All aye. Motion carried.

1981 FORD POLICE CAR

Chief Beth said the 1981 Ford Police car is out of service. Mr. Wilkes said he took the car to Lloyd Dreilings for repair of the thermostat and it was determined the oil pump was not working. Mr. Dreiling suggested purchasing a short block and redoing the heads as the engine has over 120,000 miles on it. Mr. Wilkes said a short block is \$780.00 and with installation and re-doing the heads it would cost \$1,300.00.

Mr. Grube said he did not feel the car was worth putting this money into it. Mr. Wilkes said he did not know too much about a Ford engine but he put a new oil pump in his car for about \$30.00. Mr. Dreiling had said it would be necessary to pull the engine to take off the pan.

Mark Grube suggested the possibility of a lease-purchase or leasing a police car. Lloyd Beth said Olathe Ford has a lease-purchase arrangement and has requested information on this. There was also discussion on purchasing a new car or a used low mileage car. Lloyd Beth said he could check with General Motors on a price for a new Impala 4 door with the police package. Mark Grube said he would be in favor of a stripped down version of a midsize to larger car with just the basic equipment. Chief Beth is to look into prices and different options of purchase and lease.

#### FAILURE TO APPEAR ORDINANCE

Chief Beth said Judge Reese would like to have an ordinance passed which would allow citing offenders for failure to appear. John Thompson will ask Dave King to look into this.

#### POLICE CLASS DINNER

Chief Beth said his officers asked him to request the City Council to attend a dinner for officers completing the certification classes with the City paying for the dinner. This would be for husbands and wives of the officers and Council members. He said they were considering the Gold Buffet. Mark Grube asked how many they would anticipate attending. Chief Beth said he was not sure at this time but approximately 40.

John Novak moved the Chief of Police be allowed to have a dinner for husbands and wives to reward the officers for completing the police classes with the City paying the costs. The motion was seconded by Mark Grube. All aye. Motion carried.

#### CITIZEN COMPLAINT

Jerry Barlow asked why a complaint has to be notarized. Mr. Thompson said this is a sworn statement and has to be notarized. Chief Beth said Kansas City, Kansas allows the complainant to come to court and sign the complaint before the notary the day of court. John Thompson said he will have Dave King look into this.

#### FORMS - PRINTING

Mrs. Guy said she needs to order Claim Vouchers and Sewer Billing forms, both continuous forms, so that they can be used in the computer. She said 10,000 billing forms would cost approximately \$324.00 and 2,500 claim vouchers would cost approximately \$311.00.

Mark Grube moved the City Clerk be authorized to purchase 10,000 billing forms and 2,500 claim vouchers at the best price possible. The motion was seconded by John Novak. All aye. Motion carried.

INSURANCE CLAIM

Mrs. Guy said the City has received a check from Preferred Risk, the City's insurance carrier, in the amount of \$385.00 for the claim of damage to Mrs. Millison's washing machine on June 2, 1984. The insurance company requested the City not make any settlements in the future but should turn the claim over to the insurance company immediately.

FEDERAL EXCISE TAX REFUND

Mrs. Guy reported she submitted forms to Mr. Waymire for Federal Excise Tax on gasoline purchased at Waymire during the last two years and the City has received a refund of \$348.75. She said from now on forms will be submitted every three to six months.

LEAGUE ANNUAL CITY CONFERENCE

Mrs. Guy said the League of Kansas Municipalities is holding its 74th Annual City Conference September 30 - October 2 in Overland Park. She said she would like to attend the session on Monday, October 1.

Loran Wilkes moved the City Clerk be authorized to attend the League City Conference on Monday, October 1, with the city covering the expenses. The motion was seconded by Mark Grube. All aye. Motion carried.

Bob Van Cleave expressed interest in attending the conference. Mrs. Guy said the city is allowed one voting delegate and one alternate with one vote. Mrs. Landauer said she did not know if her schedule would permit attendance.

Mark Grube moved Bob Van Cleave be named the City's delegate to the conference and the City is to pay his expenses of registration, travel and meals. The motion was seconded by Loran Wilkes, All aye. Motion carried.

CULVERTS AND DRAINAGE

It was reported Bruce Browne recommended the ditch be reopened along the west side of the alley behind the duplexes on 155th Terrace and 12 inch entrance pipes should be installed. Mrs. Guy is to contact Mr. Dillon to advise him it will be necessary for him to reopen this ditch and supply pipe for installation under the drive entrances.

Mrs. Guy is also to write a letter to Mrs. Stephens, owner of the duplex at 2956 North 155th Terrace, advising her that the problem she is having with drainage at that location is the property owners and this is not a City responsibility. Mrs. Landauer said she thought the manhole grate at this location is too light and could be dangerous. She said she felt a heavier grate should be installed at this location.

LAGOONS

Loran Wilkes reported he met with Joel Rife from the Department of Health and Environment and they made an inspection of the Lagoons. He said the lagoons were in poor condition -- the fence was down in several places, the gates down and duckweed covered the last cell. He said they recommended reseeding which should have been done after the last contract. Mr. Wilkes said they recommended spraying with diquat, a chemical used to control duckweed. In order to do this the chemical has to be mixed with a spreader. The diquat sells for approximately \$68.00 a gallon. He said there is also a need for more warning signs at both lagoons. Mr. Wilkes will check with Gale Gray regarding spraying.

John Novak moved the City purchase the necessary signs for the lagoons. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

STREET SIGNS

It was pointed out some of the street signs are missing or in need of replacing. Mrs. Landauer requested Chief Beth to have his officers make a list of the signs both street name and others which are need and report at the next meeting.

TELEPHONES - CITY BUILDING

A discussion on the types of telephones for the new offices was held. Mr. Novak said he could not see why we need a new phone system.

John Novak moved the City keep the same phones we are now using and have them installed at the new building adding a private line for the police department. No second to motion.

It was pointed out that A. T. & T. had said it would cost \$800.00 to install the present equipment at the new building.

Mark Grube suggested private installers and said he could contact several individuals he has been working with on the cost of used equipment and installation.

Loran Wilkes moved the City purchase the phones from Executone with two lines, at a cost of approximately \$2,100. There was no second to this motion. Mark Grube said he would contact several individuals about phones and would get back to the Council with the information. It was pointed out Executone would need to know by September 10 in order to have phones installed by October 1.

GARAGE DOOR OPENER

Mrs. Landauer said she has several prices of Garage door openers with the lowest installed price being \$525.00 from Charles Miller. Mr. Wilkes said he thought the City had more pressing problems than

a garage door opener and had spent enough for new police equipment that this matter could be tabled.

Mrs. Landauer said other bids she received were from Mr. Wiley at \$609.00 plus installation and Lansing Lumber \$450.00 not installed. She said we would have to run 110 wire to the opener with the Miller proposal.

Mark Grube moved the City install a garage door opener from Charles Miller in the amount of \$525.00. The motion was seconded by Bob Van Cleave. Mark Grube, John Novak and Bob Van Cleave, aye. Loran Wilkes, No. Motion carried.

#### GARAGE FLOOR

Mrs. Landauer asked the Council what they wanted to do about finishing the garage floor. Loran Wilkes said he thought a decision should be made on finishing the front entrance to the building before anything is done on the garage floor. Mr. Grube said he could not make a decision on the front of the building at this time.

Mrs. Landauer said the Lions Club has offered their services with the concrete either in front of the building or in the garage.

John Novak moved Anna Mary Landauer be given authority to get the garage floor poured with a drain in the middle of the floor 30 feet long and 5 feet from each wall running north and south, across the middle. The motion was seconded by Bob Van Cleave who stated he thought someone with knowledge of concrete should be contacted. Mrs. Landauer asked Mr. Wilkes if could assist. Mr. Wilkes said his time would be limited. On a vote, all aye. Motion carried.

#### WINDOWS - CITY BUILDING

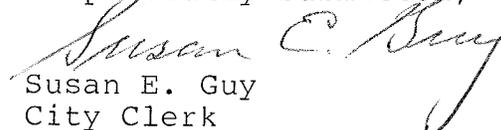
Mr. Wilkes said Mr. Lightwine asked him to convey his recommendation that the windows not be moved in the city building. He said with the wall surface to be placed on the outside of the building and the building constructed in the building the removal of the beam would not be a factor in the strength of the building.

John Novak, Bob Van Cleave and Mark Grube said they were concerned with the safety of the building if the beam were to be cut and would not be in favor of it being removed. They felt it would be better to lower the windows.

#### ADJOURNMENT

Mark Grube moved the meeting be adjourned. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

Respectfully submitted,

  
Susan E. Guy  
City Clerk