

CITY OF BASEHOR

LEAVENWORTH COUNTY  
BASEHOR, KANSAS 66007

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UNAPPROVED

BASEHOR CITY COUNCIL MEETING  
MARCH 8, 1983

PUBLIC HEARING CABLE T.V.

MAYOR TUTER OPENED THE PUBLIC HEARING BY ASKING DOUG WATERS HIS OPIONION ON WHETHER OR NOT TO PROCEED BECAUSE OF THE WAY THE PUBLIC NOTICE WAS PUBLISHED. MR. WATERS STATED, IN HIS OPIONION THE COUNCIL MAY PROCEED AND RECEIVE INPUT FORM CITIZENS HOWEVER HE ASKED THE COUNCIL TO REFRAIN FROM TAKING ANY FORMAL ACTIONS. HE ADDED THE PUBLIC NOTICE SHOULD THEN BE RESUBMITTED FOR PUBLICATION REFLECTING THE NEW DATE AND TIME, APRIL 5, 1983 AT 7:00 P.M.

REPRESENTATIVE FOR CABLE T.V. JOHN LINQUIST

MR. LINQUIST OPENING COMMENTS WERE ABOUT THE COST OF UTILIZING CABLE T.V. FOR THE SUBSCRIBERS. HE SAID \$11.00 PER MONTH WILL BE THE BASIC PROGRAM AND WILL INCLUDE THE FOLLOWING: 24 HOUR NEWS, SPORTS, CHRISTAIN PROGRAMS, HEALTH CHANNEL, NICOLEDON (CHILD'S CHANNEL) AND POSSIBLY A CITY CHANNEL.

THE MOVIE CHANNELS ARE IN ADDITION TO THE BASIC PROGRAM AND WILL COST \$9.50 PER WITH A CHOICE OF: HBO, SHOWTIME, CINAMAX. A PERSON COULD SPEND AS LITTLE AS 11.00 PER MONTH OR AS MUCH AS 39.50 PER NONTH.

THE PRESENT SYSTEM IS CAPABLE OF CARRYING 35 CHANNELS, MORE MAY BE ADDED AS THE ORIGINATE. MR. LINQUIST STATED THEY WILL GUARANTEE THE PRICES NOT TO INCREASE FOR 18 MONTHS. HE WENT ON TO SAY THEY WOULD UTILIZE WHATEVER MEANS IS PRESENT NOW, BE IT AREAIL OR UNDERGROUND. HE SAID AREIAL IS CHEAPER WHEREAS UNDERGROUND HAS PROBLEMS WITH EXSISTING CABLES.

TO GET PEOPLE TO SUBSCRIBE WILL BE DONE BY DIRECT MAIL AND ADVERTIZING. THE CITIZENS WILL NOT BE PRESSURED AND WILL NOT HAVE TO SIGN ANY CONTRACTS. MR. LINQUIST REMARKED THEY OFFER FREE INSTALLATION AND 2 WEEKS SERVICE TO LET CITIZENS SEE IF THEY WANT THE SERVICE.

WHEN ASKED HOW FAR OUTSIDE THE CITY LIMITS THEY WOULD GO HIS RESPONSE WAS: IF THEY ARE CLOSE AND HAVE A POLE THEY WILL RUN IT. AND ANYONE WITHIN THE CITY LIMITS CAN BE HOOKED UP IF THATS WHAT THEY WANT.

CONCERNING HOW MUCH THE CITY WILL RECEIVE IN FRANCHISE TAX. LINQUIST SAID THEY LIKE TO PAY 1/2 OF 1% BUT USUALLY THE NORM IS 3%. THAT WOULD BE 3% OF THE GROSS BASIC HOOK UP.

IF THE CITY PASSED THE FRANCHISE ORDINANCE IT WILL MOST LIKLEY BE LATE FALL BEFORE SERVICES WILL BE AVAILBLE.

CITY COUNCIL MEETING

THOSE PRESENT: ANNA MARY LANDAUER, JOHN NOVAK, BOB VAN CLEAVE, MARK GRUBE. ABSENT:  
LORAN WILKES.

PRESIDING OFFICER: MAYOR TUTER

OTHERS PRESENT: DOUG WATERS/CITY ATTORNEY, BRUCE BROWNE/CITY ENGINEER, CITY TREASURER/  
JANE SCHERER, CITY CLERK/CAROL HUBBEL, JOHN LINQUIST/CABLE T.V., AKAREN  
MARTIN SIDEWALKER AND CITIZENS OF BASEHOR.

MINUTES

MOVED BY MARK GRUBE, SECONDED BY ANNA MARY LANDAUER TO APPROVE THE MINUTES OF THE LAST REGULAR COUNCIL MEETING. ALL AYE. MOTION CARRIED.

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## TREASURER'S REPORT

MOVED BY ANNA MARY LANDAUER, SECONDED BY JOHN NOVAK THAT CD # 4626 BE REINVESTED AT THE HIGHEST AMOUNT OF INTEREST AT THE FIRST STATE BANK OF TONGANOXIE, ALL AYE. MOTION CARRIED.

MOVED BY ANNA MARY LANDAUER, SECONDED BY JOHN NOVAK TO APPROVE THE TREASURER'S REPORT. ALL AYE. MOTION CARRIED.

## DAN HUBBEL/SEWER

MR. DAN HUBBEL OF 2807 N. 156th ST WAS PRESENT TO ASKED RESTITUTION FOR SEWAGE BACKING UP INTO HIS HOUSE IN THE AMOUNT OF \$113.85.

A SUMMARY OF MR. HUBBEL'S STATEMENTS ARE AS FOLLOWS.

WHEN THE HOUSE AT 2807 N. 156th ST. WAS CONSTRUCTED IN THE SPRING OF 1978 IT WAS DETERMINED THE MAIN SEWER LINE BEHIND THE HOUSE WAS AT AN INSUFFICIENT DEPTH TO PROVIDE ADEQUATE DRAINAGE. THEREFORE A 200' vs. 68' SEWER LINE WAS RAN FROM THE EXSISTING HOUSE ALONG THE CITY'S RIGHT A WAY TO THE CLOSEST SEWER MAIN WEST OF SAID HOUSE. AT SUCH TIME THE CITY ENGINEER WAS TO INSPECT THE LINE TO ASSURE ALL STATE AND CITY REQUIREMENTS WERE MET. IF DONE PROPERLY, CLARENCE WORLEY, THEN MAYOR, STATED THE CITY WOULD ASSUME AND MAINTAIN THE SEGMENT OF LINE ON CITY PROPERTY. MR. HUBBEL SUBMITTED AN AVIDAVIT SIGNED BY MR. WORLEY STATING HE DID MAKE SUCH A STATEMENT.

IT IS MR. HUBBEL'S CONTENTION THAT WHEN THE CITY WAS MAKE AWARE OF THE PROBLEM WITH THE LINE HE SHOULD HAVE BEEN NOTIFIED SO HE MIGHT TAKE THE APPROPRIATE STEPS NECESSARY TO ELEVEATE THE PROBLEM INSTEAD, THE CITY CAPPED THE CLEAN OUT VALVE WITHOUT NOTIFYING HIM IN ADVANCE, THE SEWAGE WOULD BACK UP INTO HIS HOUSE.

MR. HUBBEL WENT ON TO SAY THE LINE WAS COLLASPED ON THE CITY'S PROPERTY THEREFORE THE AGREEMENT THAT WAS MADE INITIALLY SHOULD BE HONORED.

MAYOR TUTER THEN ASKED MR. HUBBEL WHAT EXACTLY DID HE WANT THE CITY TO DO. MR. HUBBEL SAID HE WANTED THE CITY TO ACCEPT AND MAINTAIN THE SEWER LINE AFTER IT LEAVES HIS PROPERTY AND TO PAY THE \$113.85 BILL TO RIGHT WAY CONSTRUCTION CO. MAYOR TUTER THAN STATED HE WOULD LIKE MORE TIME TO CONSIDER AND WOULD GIVE A DECISION AT THE NEXT COUNCIL MEETING. HE ALSO ASKED DOUG WATERS TO LOOK INTO THE LEGAL ASPECTS AND IF AT SUCH TIME HE DETERMINED THE CITY IS RESPONSIBLE MAYOR TUTER ASKED FOR A MOTION TO PAY AT SUCH TIME. MOVED BY JOHN NOVAK, SECONDED BY ANNA MARY LANDAUER IF AT SUCH TIME IT IS DETERMINED THE CITY IS RESONGIBLE, PAYMENT WILL BE MADE IMMEDIATLEY. ALL AYE. MOTION CARRIED.

## JAMES HOFFMAN/TRAILOR

MOVED BY JOHN NOVAK, SECONDED BY ANNA MARY LANDAUER TO APPROVE HOFFMANS TRAILOR PERMIT FOR ONE YEAR. ALL AYE. MOTION CARRIED.

## KAREN MARTIN/SIDEWALK

MRS. MARTIN WAS PRESENT TO ASKED SUPPORT IN HER EFFORT TO CONSTRUCT A SIDEWALK BETWEEN THE POST OFFICE AND THE BASEHOR MIDDLE SCHOOL AND TO ANSWER THE QUESTIONS POSED AT THE LAST COUNCIL MEETING.

THE CITY HAD ASKED MRS. MARTIN FOR A COST ESTIMATE AND IF UTILITY LINES BURIED WOULD POSE ANY PROBLEMS. MRS. MARTIN'S COST ESTIMATE WAS BETWEEN 15,000.00 AND 18,000.00. SHE CHECKED WITH THE UTILITIES AND THE LINES BURIED WILL NOT CREATE A PROBLEM.

THE CITY ASKED IF SHE WOULD CONSIDER A ASPHALT SIDEWALK, THE REASON BEING IT WOULD BE CONSIDERABLY CHEAPER AND CONSTRUCTION COULD BE EXPIDITED.

THE CITY COUNCIL PLEDGED THEIR SUPPORT, HOWEVER BEFORE GIVING A MONITARY AMOUNT THEY WOULD HAVE TO REVIEW THEIR FINANCES. THEY ALSO SAID SHE MAY UTILIZE THE CITY'S EQUIPMENT AND ASKED THE CITY CLERK TO WRITE A LETTER STATING SUCH.

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BRUCE BROWNE/CITY ENGINEER  
1982 STREET PROJECT

IN GENERAL, MR. BROWNE SAYS, THE STREETS HAVE COME THROUGH THE WINTER REASONABLY WELL. THE MOST SERIOUS PROBLEMS ARE RUTTED AND SOFT SHOULDERS AND SOME AREAS OF SURFACE BREAK-UP DUE TO FREEZE-THAW CYCLES. MANY OF THESE PROBLEM AREAS ARE DUE TO INADEQUATE DRAINAGE. IN MANY AREAS THE DRAINAGE COULD NOT BE COMPLETELY CORRECTED WITHOUT COMPLETELY REGRADING THE ENTIRE ROADWAY AND SETTING NEW DRIVEWAY CULVERTS. THIS COULD NOT BE DONE IN LAST YEAR'S CONTACT BECAUSE OF LIMITED FUNDS.

THE FOLLOWING IS A LIST OF AREAS WHICH NEED ATTENTION:

1. SOUTH END MEYER DRIVE IN TURNAROUND. NEEDS LOAD OF ROCK SPREAD TO STABILIZE SOFT SPOT
2. 156th ST. FIRST HOUSE SOUTH OF LEAVENWORTH ON WEST SIDE. BAD DRAINAGE. NEEDS 12" CULVERT PIPE IN ENTRANCE.
3. OLOVE STREET AT EAST END (BLANKENSHIP). NEEDS LOAD OF ROCK TO STABILIZE AREA AROUND MAIL BOX.
4. MAPLE ST. WEST OF 156th. PAVEMENT BROKEN AND SETTLED OVER NEW WATER SERVICE. PATCH WITH COLD MIX.
5. MARHTA ST. EAST OF 154th TERR. OVER CULVERT. PATCH CHUCKHOLES.
6. 154th TERR. SOUTH OF LEAVENWORTH -50' LONG AREA OF SPRING BREAKUP. SPREAD AND ROLL COLD MIX.
7. CORNER OF 153rd. & ELM. PATCH CHUCKHOLES IN CURVE.
8. LEAVENWORTH RD. WEST OF 155th TO 156th. PATCH SERIES OF SMALL CHUCKHOLES ALONG CENTERLINE.
9. KLAMM AT 156th. OPEN UP CULVERT TO DRAIN.
10. 155th POPLAR. NEED GUARD POST AT DEEP DITCH.
11. 156th TERR. SOUTH OF MAPLE. THIS AREA RUTTED OUT BY SEWAGE TREATMENT PLANT CONTRACTOR EQUIPMENT. CONSTRUCTOR TO REGRADE AND RESURFACE TO CORRECT DAMAGE.

THERE ARE A NUMBER OF OTHER AREAS NEEDING COLD MIX PATCH FOR SMALL CHUCKHOLES. AFTER THIS WORK IS DONE I RECOMMEND THAT THE CITY ARRANGE FOR A SEALCOATING CONTRACTOR TO SPOT SEAL AND GRAVEL THE AREAS WHICH HAVE BROKEN UP OVER THE WINTER. HE ESTIMATES THAT THE SPOT SEALING WILL COST APPROXIMATELY \$2000 TO \$2500.00.

1200 GAL. ASPHALT FOR SEAL @ 1.50	\$1,800.00
30 TON COVER MATERIAL @ 17.00	510.00
TOTAL	\$2,310.00

THE REPAIRS NOTED ABOVE CAN BE DONE USING STOCKPILED CITY MATERIALS AND WITH CITY EQUIPMENTS, HE SAID

DOUG WATERS/CITY ATTORNEY

SEWER USERS FEE ORDINANCE

MR. WATERS SUBMITTED A CORRECTION IN THE SEWER USERS FEE ORDINANCE, ART. 5, PAGE 5. THE CORRECTION IS CHANGING THE TIME SPAN FROM 30 DAYS TO 15 DAYS THE BILLS ARE CONSIDERED DELIQUENT. THE ORDINANCE SHOULD BE ADOPTED AT THE APRIL 5th COUNCIL MEETING AND A PUBLIC NOTICE SHOULD BE PUBLISHED TO THAT EFFECT.

MOVED BY ANNA MARY LANDAUER, SECONDED BY JOHN NOVAK TO CORRECT ARTICLE 5, PAGE 5 OF THE ORDINANCE AND TO PUBLISH A NOTICE OF PUBLIC HEARING FOR APRIL 5th, 7:15 p.m. AT THE BASEHOR HIGH SCHOOL. ALL AYE. MOTION CARRIED.

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## CHANGE IN COUNCIL MEETING LOCATION

MAYOR TUTER STATED THE TOWNSHIP BOARD HAD CONSENTED TO LET THE CITY HOLD THEIR COUNCIL MEETINGS AT THE FIRESTATION BEGINNING MAY 13, 1983. HOWEVER MUNICIPAL COURT COULD NOT BE HELD THERE. DOUG WATERS WAS INSTRUCTED TO DRAW UP THE APPROPRIATE ORDINANCE STATING THE CHANGE. MOVED BY JOHN NOVAK, SECONDED BY ANNA MARY LANDAUER TO CHANGE THE MEETING PLACE FROM THE BASEHOR HIGH SCHOOL TO THE FIRESTATION. ALL AYE. MOTION CARRIED.

## BOB VAN CLEAVE/SEMINAR

MR. VAN CLEAVE STATED HE HAD ATTENDED A SEMINAR IN McPHERSON, KS. CONCERNING FINANCING FOR SMALL CITIES. HE REQUESTED REIMBURSEMENT IN THE AMOUNT OF \$120.00 TO COVER SOME OF THE EXPENSES. MOVED BY MARK GRUBE, SECONDED BY ANNA MARY LANDAUER TO REIMBURSE MR. VAN CLEAVE IN THE AMOUNT OF \$120.00. ALL AYE. MOTION CARRIED.

## FENCE FOR THE LAGOONS

MAYOR TUTER SUGGESTED CABLE GATES BE CONSTRUCTED TO KEEP PEOPLE OUT OF THE LAGOONS TEMPORARILY UNTIL SUCH TIME THE FENCE IS COMPLETED. MOVED BY ANNA MARY LANDAUER, SECONDED BY JOHN NOVAK. ALL AYE. MOTION CARRIED.

LORAN WILKES SUBMITTED A WRITTEN ESTIMATE ON HOW MUCH THE FENCE WILL COST THE CITY FOR THE LAGOONS. ESTIMATED COST IS \$2104.20. EXCLUDING LABOR. MOVED BY ANNA MARY LANDAUER, SECONDED BY BOB VAN CLEAVE TO APPROVE THE ESTIMATED COST EXCLUDING LABOR FOR THE FENCE AT THE LAGOONS. ALL AYE. MOTION CARRIED.

## AUDIT

MAYOR TUTER WAS ADVISED BY JANE SCHERER, MR. WOLFE WAS REQUESTING THE CITY BOOKS BY APRIL 7 FOR A COMPLETE AUDIT. DISCUSSION FOLLOWED AS TO WHO AUTHORIZED MR. WOLFE TO DO SUCH AN AUDIT. THE CITY CLERK WAS INSTRUCTED TO CHECK WITH THE BONDING CO. TO SEE IF THEY NEEDED IT FOR THE BOND ISSUE.

## BID ON 1964 FORD TRUCK

THE CITY RECEIVED A BID FOR WALTER HARVEY IN THE AMOUNT OF \$410.00. MOVED BY JOHN NOVAK, SECONDED BY ANNA MARY LANDAUER TO ACCEPT \$450.00. ALL AYE. MOTION CARRIED.

## HIGH LOADER REPAIR

MAYOR TUTER STATED THE BUCKET ON THE HIGH LOADER WAS IN NEED OF REPAIR. MOVED BY ANNA MARY LANDAUER, SECONDED BY BOB VAN CLEAVE TO HIRE SOMEONE TO WELD IT BACK TOGETHER. ALL AYE. MOTION CARRIED.

## DEANN BURKOLSKI/BUSINESS IN HOME

DEANN BURKOLSKI OF 15302 ELM REQUESTED PERMISSION TO OPEN AN ACCOUNTING BUSINESS IN HER HOME. THE RECOMMENDATION FROM THE PLANNING BOARD WAS TO LET HER OPERATE FOR 6 MONTHS AND THEN IT WILL BE REVIEWED AGAIN. MOVED BY BOB VAN CLEAVE TO ACCEPT THE PLANNING BOARD'S RECOMMENDATION, SECONDED BY MARK GRUBE. JOHN NOVAK OPPOSED. REST AYE. MOTION CARRIED.

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## FIRING RANGE INSURANCE

THE CITY CLERK STATED SHE HAD CHECKED WITH THE INSURANCE COMPANY TO SEE HOW MUCH ADDITIONAL PREMIUMS WERE REQUIRED TO COVER THE FIRING RANGE. SHE STATED THE INSURANCE CO. HAD QUOTED HER A RATE OF \$61.00 PER YEAR ADDITIONAL PREMIUMS. MOVED BY MARK GRUBE, SECONDED BY ANNA MARY LANDAUER TO CONTACT THEM WHEN THE FIRING RANGE WAS COMPLETE. ALL AYE. MOTION CARRIED.

 $\frac{1}{2}$ ¢ SALES TAX ON SEWER AND SOLID WASTE BILLS

THE CITY CLERK REMARKED SHE HAD RECEIVED A LETTER FROM THE DEPARTMENT OF REVENUE STATING THE CITY COULD NOT COLLECT THE  $\frac{1}{2}$ ¢ SALES TAX ON THE SEWER AND SOLID WASTE BILLS. MOVED BY MARK GRUBE, SECONDED BY ANNA MARY LANDAUER TO REFUND ALL MONEY COLLECTED IN THE FORM OF CREDIT. ALL AYE. MOTION CARRIED.

## KP&amp;L

MRS. HUBBEL SAID SHE HAD RECEIVED A LETTER FROM KP&L REQUESTING A KEY TO THE LAGOONS SO THEY COULD READ THE METER INSTEAD OF ESTIMATING THE READINGS. IT WAS DECIDED TO GIVE A KEY TO THEM.

## DOG TAGS AND VACINATIONS

MOVED BY JOHN NOVAK, SECONDED BY ANNA MARY LANDAUER TO GET DR. RINGLE TO TAKE CARE OF THE VACINATIONS THIS YEAR. ALL AYE. MOTION CARRIED.

## COURT REPORT

MOVED BY ANNA MARY LANDAUER, SECONDED BY MARK GRUBE TO APPROVE THE COURT REPORT. ALL AYE. MOTION CARRIED.

MEETING ADJOURNED 10:15 P.M.

CAROL HUBBEL

CITY CLERK