

CITY COUNCIL MEETING

August 2, 1983
7:30 p.m.
Fairmount Township Hall

PUBLIC HEARING

A Public Hearing on the proposed 1984 budget was held at 7:00 p.m. All Council members and the Mayor were present. No citizens appeared.

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

PRESIDING OFFICER: Mayor Forrest Tuter

OTHERS PRESENT: Carol Hubbel, City Clerk
John Thompson, City Attorney
Jane Scherer, City Treasurer
Charles Jordan, Police & Waste Water
Don Wilson, Animal Control

MINUTES

The minutes of the July 5, 1983 meeting were reviewed. Anna Mary Landauer requested the names of Anna Mary Landauer and Loren Wilkes be inserted under the paragraph naming a committee to discuss finishing the city building. There were no other corrections. Anna Mary Landauer moved that the minutes of the July 5, 1983 meeting be approved as corrected. Seconded by Bob Van Cleave. All aye. Motion carried.

TREASURER'S REPORT

A discussion was held on various items on the Treasurer's Report dated June 30, 1983. It was moved by Anna Mary Landauer, seconded by Mark Grube that the Treasurer's report be approved. All aye. Motion carried.

MUNICIPAL COURT REPORT

It was moved by Mark Grube, seconded by Anna Mary Landauer that the Municipal Court Report for June, 1983, be approved. All aye. Motion carried.

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SEWER ASSESSMENT INFORMATION

The Council reviewed a proposed letter to be sent to sewer users allowing them to make a cash payoff of their share of the sewer treatment facility improvements. As of this date sewer users have been billed for two months at a higher sewer charge which reflects the increase for these improvements. Mayor Tuter stated that if a user chooses to pay off their share of the improvements, the amount of increase they have paid up to the time of the payoff would be deducted from the total amount of the payoff. A discussion was held regarding the amount of time that should be allowed to make such a payoff. It was suggested that 90 days be allowed to make this payoff, or November 1, 1983. Those not making a payoff would continue to be charged at the higher rate.

John Novak moved that we allow sewer users 90 days to pay off the new portion of the sewer treatment facility improvements or until November 1, 1983. Seconded by Loren Wilkes. All aye. Motion carried.

VANDALISM ORDINANCES

John Thompson, City Attorney, stated that he had submitted a series of ordinances which would bring the city ordinances in compliance with the various state statutes. Mayor Tuter said he felt the Council should have time to review these ordinances. Mrs. Landauer said some of the items would have to be explained to her. Mayor Tuter said he would like to have our Chief of Police review these ordinances and be present when this is discussed. It was the Council's feeling that this matter should be tabled until the next meeting in order to give everyone an opportunity to review the ordinances.

BREUER WATER LINES

Mr. Thompson stated that under state statutes there are very strict requirements that must be complied with in order for a private water supplier to obtain a license from the state to sell water to the residents of Basehor. He said he talked to the Department of Health and Environment and their records do not show that Mr. Breuer has been issued a permit to sell water. He suggested that the Council contact the Department of Health and Environment and ask them to make an investigation of this proposed system to see if it complies with state statutes. Mr. Thompson said he did not feel an individual could meet the requirements set down by the state in selling water to the public. Rather than drafting a franchise ordinance at this time, Mr. Thompson suggested contacting the Department of Health and Environment first. The state would send someone to investigate and it may not be necessary for the Council to deal with this situation.

John Novak moved that the Council investigate through the Kansas Department of Health and Environment, whether Mr. Breuer has complied with state statutes. The motion was seconded by Bob Van Cleave.

Mayor Tuter pointed out that if such a request for an investigation is made it is not against anyone in particular but for the welfare of the City itself. The Council discussed the possibility of other individuals selling water to various residents within the city limits. Mr. Novak asked if a permit should be issued to these individuals selling water to others and how it could be determined that this water is safe for consumption.

Bob Van Cleave amended Mr. Novak's motion to have the City Attorney contact the Kansas Department of Health and Environment to determine if Mr. Breuer's water system complies with state statute. The motion was seconded by Loren Wilkes. All aye. Motion carried.

LIVESTOCK NUISANCE

Mayor Tuter stated that there is a residence within the City limits housing livestock beyond the limits designated safe for human beings. Officer Jordan said there were 180 chicks, 4 ducks, 3 rabbits and 7 dogs in a very small house. John Novak suggested that this be turned over to the health department. Mr. Thompson said the City could maintain an action under the nuisance ordinance. Mr. Thompson was asked to check into this matter with the Health Department and report back to the Police Department what action could be taken.

RESOLUTION NO. 24

Mr. Thompson prepared a resolution concerning certification of delinquent sewer users to the County Clerk's office. It was moved by John Novak, seconded by Anna Mary Landauer that Resolution No. 24 be approved certifying delinquent sewer users to the County Clerk's office. All aye. Motion carried.

ONE-HALF CENT SALES TAX

Mr. Thompson said he could not find anything to prevent the sales tax revenue from being earmarked for street improvements. Mayor Tuter said he felt the spirit of the Council for presenting a 1/2 cent sales tax was for street improvements. Mr. Thompson said he felt a resolution would be needed to designate the 1/2 cent sales tax out of the general fund to a special fund. It was decided that a resolution was not needed at this time.

PURCHASE OF BREUER PROPERTY

Mr. Thompson reported he drafted a simple real estate contract for the purchase of a tract of land from Mr. Breuer. He contacted Guarantee Title Company in Leavenworth who will provide title insurance to this land. It may be necessary to get a survey of this property. This decision will be made by the title company. Mr. Breuer will be asked to supply a legal description of the property and to sign said contract.

APPLICATION FOR EMPLOYMENT

Mayor Tuter has received an application from Susan Guy for assistant city clerk for the City of Basehor. He said that he talked to her about a training period for this position at minimum wage for approximately 10 or 12 hours a week.

Mr. Van Cleave inquired about the Green Thumb program. Carol Hubbel said she talked to a Green Thumb representative about the program. The representative said she thought she could find someone from the City of Basehor for the program. The state will pay for the training period at minimum wage up to a maximum of 25 hours a week. A person qualified to come under this program has to be 55 years of age or over and low income.

Mr. Novak inquired about the C.E.T.A. program. Carol Hubbel said the City does not qualify under the C.E.T.A. program. At the time she talked with a representative of this program we had an employee in a lay-off or non-working situation. She said she has not looked into this program since that time as she felt the Council was interested in an older person. The C.E.T.A. program is for 16 to 22 year olds.

Mayor Tuter stated that we could be in a difficult situation if we don't get someone in to train for this position. Mrs. Hubbel said she has had several offers of employment and she is considering them. She encouraged the Council to hire someone so she could start training them. Mayor Tuter said that Mrs. Hubbel could not tell him specifically when she would leave and the people could not tell her for sure whether she had a job or not; that they would have to get back with her.

Loren Wilkes moved that we hire Susan Guy to train for the position of City Clerk or substitute. Seconded by Anna Mary Landauer. All aye. Motion carried.

LETTER FROM BELL TELEPHONE COMPANY

Mayor Tuter said he would like Mr. Browne to see a copy of a letter he received from Bell Telephone regarding the excavation done by Smith Enterprises.

WASTE WATER OPERATOR SCHOOL

Anna Mary Landauer said she has given Charles Jordan, Waste Water operator, a brochure about an upcoming school. He is required to attend one every four years. Mr. Jordan said he could take time from his regular job to attend such a session. It was decided that approval of such a school could be given at the next meeting.

CITY SEWER MAPS

Anna Mary Landauer said she felt the sewer maps of the city should be recorded in the Register of Deeds office. Cost for recording is \$11.00 for the first page and \$7.00 for each additional page. If we needed copies of them we could get them from the courthouse. This would give a permanent record of them. Mayor Tuter said the cost would be approximately \$300.00

Anna Mary Landauer moved that we start processing the city sewer maps with the Register of Deeds office so that we might have a permanent record of this. Seconded by Loren Wilkes. All aye. Motion carried.

CLEAN UP LETTERS

Mrs. Landauer said she checked some of the properties who had received clean up letters and felt some of them should be issued citations as they have done nothing. Mayor Tuter said he would like to have the Chief of Police check out these properties before any action is taken. Mrs. Landauer said they also checked PTL and Kemler's Auto Parts. There is hazardous material that could endanger children. There also was a trailer in the alley behind the cabinet shop that should be moved.

ANIMAL NUISANCES

It was reported that the City is experiencing an infestation of skunks in the City. Mayor Tuter said Mr. Wilson needs an additional trap.

LAGOONS

Loren Wilkes said he is not satisfied with the way the new fence was stretched or the grade on the new drainage ditch at the lagoons. Mayor Tuter said he thought this matter should be brought up again at the next council meeting when Bruce Browne is present.

CITY BUILDING

Anna Mary Landauer asked that a date be set for the committee to meet on the new city building.

OTHER BUSINESS

Mrs. Landauer reported that Joseph P. Martin, M.D. will be opening an office at 1206 North 155th Street and will be holding an open house August 23 from 10:00 to 3:00 for free medical screening.

ADJOURNMENT

John Novak moved that the meeting be adjourned. Seconded by Anna Mary Landauer. All aye. Motion carried. Meeting adjourned at 9:15 p.m.