

BASEHOR
CITY COUNCIL MEETING

September 6, 1983
7:30 p.m.
Fairmount Township Hall

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

COUNCIL ABSENT: John Novak

PRESIDING OFFICER: Mayor Forrest Tuter

OTHERS PRESENT: Susan E. Guy, City Clerk
John Thompson, City Attorney
Bruce Browne, City Engineer
Jane Scherer, City Treasurer
Lloyd Beth, Chief of Police
Citizens of Basehor

MINUTES

The minutes of the August 2, 1983 meeting were reviewed. On the motion of Mark Grube, seconded by Bob Van Cleave, the minutes of August 2, 1983, were approved. All aye. Motion carried.

TREASURER'S REPORT

Mayor Tuter explained the items listed as postage included the regular amount for the sewer and solid waste billing for the month of July, additional postage needed for mailing of the sewer payoff letters, a \$200 deposit to be placed at the Post Office for future sewer permit mailings, and a charge of \$106.85 for 500 postage paid envelopes. He said the City was getting low on printed envelopes and it was learned that these could be purchased from the Post Office with our return address, pre-posted for \$9.85 plus the \$100 postage. Mrs. Guy explained the difference of \$3.00 was due to a miscalculated figure given to her and the total cost of 500 printed, preposted envelopes if actually \$109.85.

Mayor Tuter stated the amount paid to Handy Helpers was for waterproofing material for the basement of the city building.

Mrs. Landauer asked if it was necessary to write two or three separate checks to some employees. It was decided that wages for various positions for one employee could be included in one check.

It was pointed out that the amount paid to McConnell Machinery should be charged to Special Highway instead of General Police.

SCANNED

3-8-07 et

It was moved by Anna Mary Landauer, seconded by Bob Van Cleave that the Treasurer's Report dated August 31, 1983, be approved. All aye. Motion carried.

INVESTMENT ACCOUNT

A discussion was held regarding funds invested in C.D. No. 4626, and whether more interest might be paid in a money market account.

Anna Mary Landauer moved that money now invested in C.D. No. 4626 should be placed in whatever account pays the the highest rate of interest for up to six months. Seconded by Bob Van Cleave. All aye. Motion carried.

MUNICIPAL COURT REPORT

Mark Grube moved that the Municipal Court Report dated August 8, 1983, be approved as presented. The motion was seconded by Loran Wilkes. All aye. Motion carried.

PURCHASE OF BREUER PROPERTY

Ray Breuer stated that he could not justify paying the high cost of having a survey made on the triangular shaped land he is selling to the city for the price he is selling it for. A discussion was held concerning where the markers are for said property and whether they could be paced off.

John Thompson suggested that we get bids to see what a survey would cost. He stated that he feels the property should be surveyed. It was the consensus of the Council that this transfer should be done right. The cost of having a survey on the property will be determined and this matter will be taken up at a later date.

142ND STREET

Mr. Victor Ziegler, a resident of 142nd Street stated that the chuck holes on 142nd Street are worse this year than they were last year before they were fixed. Mayor Tuter said the City would contact Wyandotte County to see if they can share expenses on fixing 142nd Street since half of the street is in their county. Mr. Ziegler stated that part of the problem is caused from the water running across the road. Mr. Alvin Vicker stated when the repairs were made last year the contractor left a hump of gravel that should have been spread out before the seal was put on the road. After the rain it washed the rock out across the road and never was fixed properly.

EPA GRANT

Bruce Browne reported that we received the EPA Grant Request for Reimbursement of \$682.50. This will final out the project and the City will get the balance of funds.

Mayor Tuter asked Mr. Browne who the project sign belongs to. Mr. Browne will check the specifications to determine if this sign was included in the project cost; if it is, it should belong to the City.

Mr. Wilkes asked Mr. Browne who made the final inspection on the lagoons and the fence. Mr. Wilkes stated that he felt it was a waste of money. The fence is loose and the gate will hardly shut. Mr. Wilkes said the ditch north of the lagoon where the manhole overflowed is still there and it won't drain.

Mr. Browne said the final inspection was made by the Corps of Engineers and the Department of Health. He said if there is something defective we should put it in writing.

Anna Mary Landauer moved that the final request for reimbursement on construction of sewer projects, EPA, be approved and that the Mayor be authorized to sign the final request for reimbursement from EPA. The motion was seconded by Loran Wilkes. All aye. Motion carried.

LORING QUARRIES

Mr. Wilkes said he thought we should start buying our rock from Loring Quarries instead of Martin-Marietta. Mr. Browne was in agreement with Mr. Wilkes that the rock we have been getting from Martin-Marietta has a brownish look to it.

Loran Wilkes moved that the City of Basehor buy their rock from Loring Quarries. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

Mayor Tuter said he had an inquiry as to whether the rock stockpiled at Waymires belonged to the City. It was decided that this rock was purchased by the County.

VANDALISM ORDINANCES

John Thompson stated that the proposed vandalism ordinances given to the Council at the last meeting were prepared in order to bring Basehor ordinances in conformance with State Statutes. There are five ordinances relating to vandalism. He said the major change in each of these ordinances is to increase the value of the property from \$50.00 to \$100.00 regarding misdemeanors. Lloyd Beth, Chief of Police, stated that he felt this should have been done sometime ago.

Mr. Thompson said there is a possibility that if a case were appealed it is possible a District Judge could decline prosecution on the basis of our existing ordinances.

Anna Mary Landauer moved that the City of Basehor update its vandalism ordinances to conform with present State Statutes in accordance with the recommendations of our City Attorney. The motion was seconded by Loran Wilkes. All aye. Motion carried.

ORDINANCE NO. 168 - AN ORDINANCE AMENDING SECTION 1 OF ARTICLE 6 OF ORDINANCE NO. 88 OF THE CITY OF BASEHOR, KANSAS BY INCREASING THE PROPERTY VALUE APPLICABLE TO THE OFFENSE OF THEFT.

Mayor Tuter read Ordinance No. 168. Bob Van Cleave moved that Ordinance No. 168 be approved as read and that a state of emergency be declared, waiving second reading of said ordinance. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

ORDINANCE NO. 169 - AN ORDINANCE AMENDING SECTION 4 OF ARTICLE 6 OF ORDINANCE NO. 88 OF THE CITY OF BASEHOR, KANSAS BY INCREASING THE VALUE APPLICABLE TO THE OFFENSE OF THEFT OF SERVICE.

Mayor Tuter read Ordinance No. 169. Anna Mary Landauer moved that Ordinance No. 169 be approved as read and that a state of emergency be declared, waiving second reading of said ordinance. The motion was seconded by Loran Wilkes. All aye. Motion carried.

ORDINANCE NO. 170 - AN ORDINANCE AMENDING SECTION 6 OF ARTICLE 6 OF ORDINANCE NO. 88 OF THE CITY OF BASEHOR, KANSAS BY INCREASING THE DOLLAR VALUE APPLICABLE TO THE OFFENSE OF CRIMINAL DAMAGE TO PROPERTY.

Mayor Tuter read Ordinance No. 170. Loran Wilkes moved that Ordinance No. 170 be approved as read and that a state of emergency be declared, waiving second reading of said ordinance. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

ORDINANCE NO. 171 - AN ORDINANCE AMENDING SECTION 8 OF ARTICLE 6 OF ORDINANCE NO. 88 OF THE CITY OF BASEHOR, KANSAS BY CHANGING SECTION 2 OF SUCH ORDINANCE, THE PENALTY CLAUSE.

Mayor Tuter read Ordinance No. 171. Anna Mary Landauer moved that Ordinance No. 171 be approved as read and that a state of emergency be declared, waiving second reading of said ordinance. The motion was seconded by Loran Wilkes. All aye. Motion carried.

ORDINANCE NO. 172 - AN ORDINANCE AMENDING SECTION 9 OF ARTICLE 6 OF ORDINANCE NO. 88 OF THE CITY OF BASEHOR, KANSAS BY SETTING FORTH A NEW SUBSECTION (f) WITH REGARD TO PUBLIC LAND SURVEY CORNERS.

Mayor Tuter read Ordinance No. 172. Loran Wilkes moved that Ordinance No. 172 be approved as read and that a state of emergency be declared, waiving second reading of said ordinance. The motion was seconded by Bob Van Cleave. All aye. Motion carried.

BREUER WATER LINE

Mr. Thompson corrected a statement he made at the last Council meeting. He stated that he was incorrectly informed when he said that Mr. Breuer did not have the necessary permits for his water line and he has since learned that the necessary permits were obtained for this project. He also pointed out that the City cannot grant an exclusive franchise to any one entity. What the Council has to decide is whether they want to adopt a franchise ordinance to establish a franchise tax on those entities or persons that extract water from the city limits.

Mayor Tuter asked if other cities our size have contracts with their water suppliers. Mr. Thompson said there are very few water suppliers operating in this area. The trend is for the cities to provide the water.

Mayor Tuter pointed out that when we dealt with Mr. Breuer's Suburban Water, Inc. we were not intending to treat him any different than any other water supplier. Mr. Wilkes said his impression was that the concern was more from a standpoint of the health of the citizens rather than a franchise.

Mr. Ziegler asked why the City is wanting a franchise. Mayor Tuter said the City does not want a franchise. He said if Mr. Breuer was required to have a franchise, then all water districts operating in the City would have to have a franchise; that this would only be done for the protection of the citizens.

Mr. Warden of Rural Water District No. 4 stated that attorneys for the water district had at one time tried to get a franchise for the City of Basehor. There was a lot of dissent and the issue was dropped.

Mayor Tuter stated that no one is pressing for a franchise ordinance.

NUISANCE ORDINANCE

Mr. Thompson distributed a proposed nuisance ordinance for review by the Council. Mr. Thompson said there are no mechanics for enforcement in the present ordinance. The Council was asked to read the proposed ordinance and it will be considered at the next Council meeting.

COMPLAINTS REGARDING MR. HODGE

Mr. Thompson said he was in the process of reviewing the files on Mr. Hodge. Mayor Tuter said that it was the intent of the Council to use whatever means or steps are necessary to resolve the problem,

whether it be prosecution or whatever. Mayor Tuter will meet with Mr. Thompson to discuss this matter in greater detail.

150TH STREET AND STATE

Anna Mary Landauer pointed out that Mr. Breuer had cut across 150th Street at State Avenue for the purpose of installing his water line. A discussion was held whether this area was on state right-of-way or in the City. Mr. Browne said he felt this was state right-of-way; however he will check into this.

POLICE APPLICATIONS

Lloyd Beth, Chief of Police, reported he needs to hire additional police officers. Terese Yatzbacher is on indefinite sick leave and may not be able to return to duty, which leave two officers and himself. With football activities starting, more manpower is needed to cover these events as well as regular duties. Mr. Beth submitted the application of James Michael Blancarte. Mayor Tuter said he has known Mr. Blancarte for some time and would recommend him.

Mark Grube moved that we act on Lloyd Beth's recommendation to hire James Michael Blancarte as a police officer and that he start as soon as possible. Seconded by Anna Mary Landauer. All aye. Motion carried.

~~Mr. Beth also recommended hiring Clifford Cecil, who has been a reserve officer for 18 months. He would be available for some days and nights and could work two days a week on days.~~

Mayor Tuter reminded the Council that about two months ago the Council approved hiring Don Wilson as an officer to work days. Since that time there have been problems with Mr. Wilson and his employment at Meyer Dairy during the strike that have made it advisable to keep Mr. Wilson from performing the duties with the Police Department. This is in agreement with Mr. Wilson and all other parties involved.

It was moved by Loran Wilkes, seconded by Anna Mary Landauer that Clifford Cecil be employed by the Basehor Police Department to begin work immediately. Seconded by Anna Mary Landauer. All aye. Motion carried.

CRIME PREVENTION PROGRAM

Mr. Beth reported that the Basehor Police Department is participating with the Kansas City Chiefs and other police departments in the metropolitan area in distributing crime prevention cards to local youngsters. These cards will be given out by officers during a ten-week period.

911 NUMBER

Mr. Beth reported that recent telephone bills sent to Basehor residents included a sticker indicating Basehor residents having a 724 telephone exchange could use a 911 emergency number. We have contacted the telephone company and placed an article in the Basehor Sentinel urging residents to continue to use our seven-digit number. Use of the 911 number could delay service.

ANIMAL CONTROL

Mayor Tuter said that Mr. Wilson is still functioning as Animal Control Officer during the hours he is available. Mayor Tuter said he has been assisting Mr. Wilson in this capacity when necessary. He pointed out the need for a large cage to capture dogs. This type of trap is not readily available for purchase; however, Mayor Tuter offered to make such a cage if he is reimbursed for his services.

Bob Van Cleave moved that Mayor Tuter be authorized to build a cage to capture large dogs and be reimbursed for his services. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

CITY CLERK

Mayor Tuter said that at the present time Basehor does not have a City Clerk. ~~During the past several weeks documents have been sent out of the office signed by Mrs. Guy as Acting City Clerk.~~ Mayor Tuter recommended hiring Susan Guy as City Clerk.

Loran Wilkes moved that Susan E. Guy be appointed as City Clerk. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

OVERTIME PAY

Mayor Tuter said that Carol Hubbel had submitted a statement for overtime pay for the last pay period while she was City Clerk. Since he did not authorize this overtime he would like the Council to discuss this matter and make a decision on payment. After considerable discussion Mark Grube suggested tabling the matter until the next meeting and ask Mrs. Hubbel for a detailed account of the work that was done. Mayor Tuter said he will ask Mrs. Hubbel for this information so that the Council can study it prior to the next meeting.

CITY OFFICE HOURS

Mayor Tuter reported that Mrs. Guy has requested changing the closing day for the city office. She would like to have the office open four consecutive days, Monday through Thursday, 9:00 a.m. to 3:00 p.m. and close on Friday.

Bob Van Cleave moved that the Basehor City Office be open Monday through Thursday, 9:00 a.m. to 3:00 p.m. and closed on Friday. The motion was seconded by Loran Wilkes. All aye. Motion carried.

Mayor Tuter pointed out that at the October, 1982 meeting the City Council voted to hire an assistant or substitute City Clerk at \$4.50 per hour; therefore, the wage for this position discussed at the last meeting had already been decided a year ago.

JEFFERSON COUNTY CABLE CORPORATION

Mayor Tuter advised the Council of a letter received from Jefferson County Cable Corporation notifying of their intent to transfer their franchise to Jefferson County Cable Corp. Fund II Limited Partnership as of September 25, 1983. The letter stated that they have now completed their first group of systems and hope to start construction in Basehor soon.

SALARY ADJUSTMENTS

Mayor Tuter reported that there were some discrepancies in salary increases during the past few months. Mrs. Guy stated that two employees had been left off the ordinance relating to the 8½ percent increase; however the motion for salary increases covered all employees. Also, the ordinance relating to these increases was supposed to have the salaries rounded off.

Mark Grube moved that the City Clerk make proper adjustments to the salaries in accordance with Ordinance No. 167 passed July 5, 1983. The motion was seconded by Loran Wilkes. All aye. Motion carried. Mr. Thompson said the ordinance would not have to be reprinted.

OVERTIME PAY - POLICY

Loran Wilkes moved that no overtime pay be made to any city employee without proper authorization by either the Mayor, Chief of Police or the Council prior to the work being done. Mark Grube seconded the motion. All aye. Motion carried.

BUDGET HEARING

Mayor Tuter said that since the minutes of the August 2, 1983 meeting did not reflect approval of the budget for 1984, it would be necessary for a motion to this effect at this time.

It was moved by Loran Wilkes, seconded by Mark Grube that the Budget for 1984 be approved. All aye. Motion carried.

BRUCE BROWNE STATEMENT FOR EPA PROJECT

Mayor Tuter presented a statement dated June 27, 1983 in the amount of \$698.48 from Bruce Browne for the EPA project. This statement was omitted from the July and August meeting, and needs Council approval.

Loran Wilkes moved that the statement dated June 27, 1983, from Bruce Browne in the amount of \$698.48 for his work on the EPA project be paid. Motion seconded by Anna Mary Landauer. All aye. Motion carried.

BANK SIGNATURE CARDS

Mark Grube moved that Mrs. Guy be added to those persons authorized to sign checks and other documents for the purpose of transferring money. The motion was seconded by Anna Mary Landauer. All aye. Motion carried.

NOTARY

Mayor Tuter stated that the City had paid for Mrs. Hubbel's notary seal and bond. The bond can be cancelled; however, there is no reimbursement to the City. He said that Mrs. Guy already is a Notary and it will not be necessary for the City to bond her in this capacity.

CITY BUILDING

Mayor Tuter reported that we have some material to waterproof the basement walls. The committee has discussed this matter with Mr. Hayes regarding putting in drain pipes on the inside. He feels this should take care of the water situation. It was determined that the sewer is six feet below the level of the building.

SEWER MAPS

Bruce Browne reported that he has been keeping the original copies of the City's sewer maps and sewer plant modifications due to the limited amount of space available in the City offices.

Mayor Tuter asked Mr. Browne to discuss the matter of getting these maps recorded with Mr. Mussett, who has offered his services to this end. Mr. Browne stated that the maps do belong to the City.

MUNICIPAL COURT LOCATION

Mayor Tuter reported that Municipal Court will be held in the City Offices this Monday. Bob Van Cleave asked about using the fire department building for court purposes. It was pointed out that the fire department chose not to allow use of their building for this purpose.

FIRE INSURANCE CLASSIFICATION

Mayor Tuter said a letter had been received from ISO Commercial Risk Services, Inc. informing the City that the fire classification had been lowered from a Class 8 to a Class 6. Mr. Wilkes complimented the Fire department on their work and the Council commended the fire department for the efforts in getting a lower classification.

Loran Wilkes pointed out that everyone could help the fire department if they would notify their insurance company of the fire department number. Two percent of the amount paid for insurance is sent back to the fire district to be used for insurance purposes of the volunteers.

SEWER PAYOFF

A discussion was held regarding the problems encountered in determining the payoff for sewer facility improvements in certain classifications. Facilities that are vacant now have the potential of accommodating more than one person which would change the classification from a Class I to a Class II. Mayor Tuter said he wanted to be sure that we would not be losing money if residences change from one classification to the other. Each case will have to be considered on an individual basis.

FURNACE FOR CITY BUILDING

Mayor Tuter reported that he purchased at an auction a furnace and air conditioning system for the City Building at a cost of \$200.00. He checked with various sources and learned that this amount is considerably less than any equipment that would be available to us. Mayor Tuter also sold two chairs to the Police Department for their office at a cost of \$10.00 each or \$20.00 total.

Anna Mary Landauer moved that we accept the bills for the furnace and air conditioning system and the two chairs for the Police Department. The motion was seconded by Loran Wilkes. All aye. Motion carried.

PETTY CASH

Mayor Tuter asked that the Petty Cash fund be increased to \$50.00. Bob Van Cleave moved and Mark Grube seconded that the Petty Cash be increased to \$50.00. All aye. Motion carried.

STREET PROJECT

Mark Grube pointed out that it is approaching one year since the street project. We discussed doing a yearly maintenance project on the streets in order to avoid the problem faced last year with a major street repair project. Mr. Van Cleave said he did not feel the work done on the streets was as good as we had anticipated it would be.

Mayor Tuter asked Mr. Browne to look at the streets to determine what should be done and estimate what the work should cost. It was determined that it would not be necessary to get bids on an ongoing maintenance project. A special meeting will be called to consider a maintenance project for the streets so that the work can begin in October. Mr. Browne said the work could be done in a couple of days. Mr. Browne was asked to contact Leavenworth County to seek assistance in this project and also Wyandotte County for help on 142nd Street.

ADJOURNMENT

On the motion of Anna Mary Landauer, seconded by Mark Grube, the meeting was adjourned at 10:25 p.m. All aye. Motion carried.

Susan E. Guy
City Clerk