

approved 2/5/85
J.A.M.

MINUTES

BASEHOR CITY COUNCIL

7:30 P.M.

Basehor City Hall

JANUARY 2, 1985

COUNCIL PRESENT: Robert Van Cleave, President
John Novak
Mark Grube

PRESIDING OFFICIAL: Anna Mary Landauer, Mayor

Others Present: Jane Scherer, City Treasurer
John Thompson, City Attorney
Lloyd Beth, Chief of Police
Mike Webb, Sgt.
Donald Wilson, Animal Control.
Mary A. Mogle, City Clerk
Citizens of Basehor

Quorum not present at 7:30 P.M.

Meeting was called to order at 7:47 P.M. when Councilman Mark Grube arrived. Mayor Landauer stated that Councilman Van Cleave, Novak, and Grube were present at the January 2, 1985 meeting.

APPROVAL OF MINUTES

Approval of Minutes for December 4, 1984 meeting was made by Robert Van Cleave. The motion was second by Mark Grube. All Aye. Motion Carried.

Approval of December 27th meeting was made by the following corrections:

John Novak stated that the the walls mentioned in the Minutes were wrong and should read North and South walls for the placement of Library Books and the West wall be left vacant for map, bulletin board, and chaulk board.

Bob Van Cleave made mention of the incorrect spelling of Senator Reilly's name. Sould be Reilly instead of Rilley.

John Novak moved that the December 27th Minutes be approved. Mark Grube second the motion. All Aye. Motion Carried.

SCANNED

3-7-78

APPROVAL OF TREASURER'S REPORT

Bob Van Cleave moved to accept Treasurer's Report and pay said mentioned Bills:

Bruce Browne	130.50
Donald Wilson	124.95
KP&L	670.36
John Thompson	556.75
Southwestern Bell	140.36

The motion was second by Mark Grube. All Aye. Motion Carried.

APPROVAL OF MUNICIPAL COURT REPORT

Bob Van Cleave moved to accept the Municipal Court Report. Motion was second by Mark Grube. All Aye. Motion Carried.

PETITIONS FROM CITIZENS

Pearl Stevens - Not Present

Daniel Schwartz - Told Council that he had received the copy of the Leavenworth Health Department Letter on the house of 156th & Leavenworth Rd. and would be waiting to see the results.

Tom Kerr - Stated he lives at 15702 Klamm and cannot get snow removed down on his street. He would also like some gravel and maintenance performed on the road.

John Novak asked Mr. Kerr to wait till the weather breaks and the City would do the street repair. All Council Agreed.

Ray Dillion - The alley way behind his two new duplexes that comes down between the parsonage on Hickory St. and Maple St.. The South end of the alley is nothing but a mud hole. Mr. Dillion states that he has had nothing but trouble every since the Southwestern Bell cables were cut. He has purchased (2) culverts to be put in when the weather gets better. Mr. Dillion feels that it should not be up to him to pay for this alley to be maintained properly.

John Novak asked him if there was some way to divert the water. Dillion replied that he preferred not to do this for fear of run-off onto someone elses property.. He would like to have a 12" x 12' culvert for the little house on Lot #9 (house directly behind church).

Bob Van Cleave moved that we contact Dick Hayes to see what should be done and if at the expense of the City, put a culvert going east and west. The Council will go along with Dick Hayes recommendation.

Library/Kon Martin - Informed the Council that the Basehor Community Library has been give a 9,000.00 Grant. She would also like to have the Library Shelves come outward on the North wall. This way they would not be obstructing any heating vents.

Library Cont'd . . .

The shelves are approximately 5½ Ft. High and will come out into the room approximately 3 Ft.

John Novak asked Mrs. Martin about the trees. He feels that they are positioned incorrectly. Since the Side Walk Committee has around 1,000.00 into the trees she would like to see the Council and Township patch up their differences and leave the trees where they are. Announced their Open House would be on February 2, 1985.

Donna Breedlove - Would like to speak in regards to Cable TV. Council suggested she wait till later.

INSURANCE RENEWAL

Bob Van Cleave informed Council that our present policy expires February 6, 1985 and will "roll-over" from Preferred Risk to Great American Co.

John Evans/Richards Insurance Co. confirmed the statements from Mr. Van Cleave. Informed Council that he would have further information and a Writer Policy for them at the February Meeting.

CITY CLERK

Asked for approval to Order 500 (22¢) Pre-Stamped Envelopes at the approximate cost of 119.85.

Mark Grube made motion to go ahead with the order. Bob Van Cleave second the motion. All Aye. Motion Carried.

Mark Grube asked if there was any way we could get a Parts Only Maintenance Agreement for the Computer. Report to the Council at the next meeting. Council agreed not to pay for Policy until it was discussed further at the next meeting.

Clerk informed Council that her computer classes would be finished at the end of this month.

CITY ATTORNEY

Mr. Van Cleave asked Mayor Landauer and Council to move the Jefferson Cable Co. ahead on the Agenda since so many present were interested. Mayor, Council, and Attorney agreed.

Jefferson Cable Co. - Mr. Thompson was contacted by Mr. Watkins of Jefferson Cable, in regards to the adjoining property owner to Mr. Breuer. Mr. Bryan had erected a structure of sorts which was interfering with the satellite dishes. His inquiry was to see if this was submissable. We do not have a specific ordinance at this time. It does appear that there may be a violation of a "Set-Back" violation. But no specifics are at hand at this time. Council should be aware of the problem.

City Attorney Cont'd . . .

John Novak stated that we have spent approximately \$8,746.00 on Attorney Fees, with no reflection to attorney, but the City cannot afford to write Ordinances every time someone wants something changed. He feels that the Council has bent over backwards for the Cable Co. issuing them a Franchise. What ever Mr. Bryan and Mr. Watkins differences are they should handle it between themselves and leave the City out of it. It should be between the two property owners only. Mr. Watkins told Mr. Novak that the City should stand behind Jefferson Cable since they were the ones to issue him a Franchise. Mr. Watkins asked Council to state that Mr. Bryan is within the zoning or nuisance violation.

John Novak asked Mr. Watkins to describe the "Set-Back" violation. Watkins stated that Mr. Bryant has constructed a trailer with boards nailed to the top of the trailer.

At this time Jim Lugar, Attorney for Mr. Bryan, stood up and stated to Council and Public not to let "Mr. Watkins sell them a bill of goods".

Mr. Lugar informed Council that he and his client are contemplating filing a Law Suit for Demunation Of Property.

Watkins and Lugar had a few heated words. Mayor called meeting to order. Men kept arguing. Mayor left Meeting Rooms to acquire her anvel. Meeting was brought to order. Mr. Watkins informed Council that he will move the dishes and tower but will be forced to have a rate increase on the Citizens of Basehor becuase of Mr. Bryan.

Donna Breedlove (Citizen of Basehor) stood up to speak. She stated that she is very upset about what is happening. She like many others is paying for something their not getting - Good Reception. She realizes that the Mayor and Council are trying to do the citizens a service, but that something has to be done. She suggests that if Mr. Bryan doesn't like looking at the dishes then he should put a lattice type privacy fence.

John Novak told her that he didn't feel that either man should be out that added expense. And who is to say which man should pay.

Mr. Watkins pointed out that he has asked Mr. Bryan how much damage he felt was done. No response was given.

Earl Bunce (Citizen of Basehor) asked if the land was zoned Industrial II. Where was Mr. Bryan when it was brought before the Planning Board.

Mr. Bryan told Mr. Bunce that when the Board okayed the Tower it was for the North end and they erected it at the South end of Mr. Breuer's building. Mr. Bunce told Mr. Bryan that he didn't appreciate the interference. He was told by Mr. Bryan to put the tower on his property.

Mayor Landauer announced that they would continue on with the Agenda enough time had been used on this subject.

Annexation of Mussets - John Thompson informed Council that they can act on request and do not need a Public Hearing. Also it is not necessary to have a Second reading on the Ordinance.

John Novak made motion that we accept the tract of land. Motion was second by Bob Van Cleave. All Aye. Motion Carried.

ORD. 187 - AN ORDINANCE RELATING TO AND PROVIDING FOR THE ANNEXION OF CERTAIN LAND, TRACTS, LANDS OR PIECES OF LAND PLATTED AND UNPLATTED, TO THE CITY OF BASEHOR, AND DESCRIBING SUCH LAND, LANDS, AND/OR PIECES OF LAND.

Traffic Ordinance-1985 - John Novak moved to accept Traffic Ordinance 187. Bpb Van Cleave second the motion. All Aye. Motion Carried.

ORD. 188 - THE ORDINANCE AUTHORIZING THE ADOPTION OF THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES EDITION OF 1985, AS INCORPORATED BY REFERENCE UNDER THE PROVISIONS OF K.S.A. 12-3009 through 12-3013, INCLUDING ANY AMENDMENTS THERE-TO, AND K.S.A. 12-3301 AND 12-3302, AND REPEALING ORDINANCE 173 OF THE CITY OF BASEHOR, KANSAS.

Re-election and Appointment - Mr. Thompson stated that it was important to go ahead and fill the position of Council person that is being held open. In a Third Class City the one appointed would serve out the unexpired term and would not be up for re-election in May 1985 but would serve until 1987. This way the terms would not be staggered.

Mayor Landauer took this opportunity to nominated Daniel Hubbel for her vacant position on the Council.

Bob Van Cleave made motion to accept the Mayor's nomination. Mark Grube second the motion. All Aye. Motion Carried.

Southwestern Bell Co. - Mr. Thompson stated the suit with Southwestern Bell Co. was because Russell Smith cut some underground cables. Claim is for \$2,284.05. The insurance company will not cover this since we did not buy Underground Excavation Coverage.

The biggest item in question is that Mr. Smith stated that he was at this time an employee of the City and not an independent contractor.

Thompson stated that it was going to be hard to define since there is no written contract. And a verbal contract was made with Mr. Smith and the Former Mayor Tuter. Bob Van Cleave suggested the City adopt the position that Mr. Smith was hired as an Independent Contractor and let the court decide.

John Novak suggested that the City Attorney write to Mr. Tuter to acquire his written deposition in regards to this case. John Thompson agreed.

CHIEF OF POLICE

Chief Beth submitted the Letter of Resignation of Officer Mike Blancarte. Chief Beth would like to have approval from Council to hire another Paid Officer.

Chief of Police Cont'd . . .

Chief Beth also asked Council for the approval for another 80 hr. Training Class.

Mark Grube made motion to accept Chief Beth's requests. Second the motion was made by Bob Van Cleave. John Novak Sustained. Therefore forcing Mayor Landauer cast the deciding vote. Mayor voted in favor of the requests. Council asked Chief Beth to inform them of when the classes were to begin.

Chief of Police would like to set a date with Judge Reese to adopt the new traffic fines.

MAYOR'S REPORT

Revenue Sharing Report - Revenue Sharing Report shows that City of Basehor is to acquire \$2,892.00 which is to be placed in the General Fund.

John Novak feels that Revenue Sharing should use this for our streets. The 1/2¢ Sales Tax Bond is to be for Special Highway Fund only. Mark Grube stated we have \$80,000 liability (sewer note) that has had nothing but interest applied. He feels that we should put a substantial amount on the streets and partial against the Note.

Bob Van Cleave said he was and always will be in favor of Long Term Bonds for the streets which would have used the 1/2¢ revenue.

John Novak made motion to transfer funds from General Fund to Special Hwy Fund, since this is what the Public was expecting. Bob Van Cleave second the motion. All Aye. Motion Carried.

Mark Grube asked Jane Scherer, City Treasurer, to contact Wayne Wolfe, CPA to see if this revenue could be put into a special fund. Also, would she report the amount remaining at next meeting.

Fire Extinguishers - Mark Grube made motion to accept B & W Fire Extinguisher bid. Bob Van Cleave second the motion. All Aye. Motion Carried.

Open House - Mayor would like the Chief of Police and Officers to be in charge of Basement. Donald "SLim" Wilson to be in charge of garage. Refreshments would cost less than \$100.00.

Time set for Open House was January 13th at 2:00 P.M. She would appreciate it if the Councilmembers wives would help serve.

Township Sewer Bill - There is a question as to who should pay the Fairmount Township Sewer Bill.

Mark Grube has no objections to building our own driveway but try to work things out with a set agreement. Bob Van Cleave feels that it should be kept the way it is and the City pay the \$9.88 bill every month. No action to be taken.

American Express - To be discussed at February Meeting.

City Treasurer - Mayor Landauer would like the Councils approval to issue the City Treasurer a wage increase to \$175.00 per month. John Novak made motion to raise City Treasurer pay by \$26 per month. Bob Van Cleave second the motion. All Aye. Motion Carried.

Rimel Plumbing - Motion was made by John Novak to accept the Bond on Rimel Plumbing. Bob Van Cleave second the motion. All Aye. Motion. Carried.

Planning Board By-Laws - Mark Grube made motion to accept the Planning Boards By-laws. Bob Van Cleave second the motion. All Aye. Motion Carried.

Section 22 - Bob Van Cleave asked Council to wait and vote at next February Council Meeting.

Christmas Ad - Each Council member owes Chieftain-Sentinel 2.40 for the ad put in the paper at Christmas.

Street Signs - Streets signs that need to be replaced to be discussed at February Council Meeting.

Green River Ordinance - To be discussed at February Meeting.

BOB VAN CLEAVE

Informed the Public that he was not going to run for Council, but would like to serve the City in other capacities-perhaps Municipal Court.

JOHN NOVAK

Would like to see Mr. Van Cleave reconsider. He has been a great asset to the City and Council.

MARK GRUBE

Would like to see Bob Van Cleave reconsdier also. Also made mention that he would like to stress to the City Clerk to use the computer more often since it was a big investment to the City.

ADJOURNMENT

John Novak moved the adjourn the meeting. Mark Grube second the motion. All Aye. Motion Carried. Meeting adjourned at 10:15.

These minutes are subject to approval by Basehor City Council.