

Approved 7/2/85
M.G.M.

MINUTES

BASEHOR CITY COUNCIL
May 7, 1985
7:30 P.M.
Basehor City Hall

MEMBERS PRESENT: Robert Van Cleave
Mark Grube
Daniel Hubbel
John Novak

OFFICIAL PRESIDING: Anna Mary Landauer, Mayor

Others Present: John Thompson, City Attorney
Jane Scherer, City Treasurer
Mike Burdolski, Acting C.O.P.
Donald Wilson, Animal Control
Bruce Browne, City Engineer
Mary Mogle, City Clerk
Citizens of Basehor

Meeting was called to order at 7:40 P.M. on May 7, 1985. Members present are Bob Van Cleave, Mark Grube, Danny Hubbel, and John Novak. Members absent Loran Wilkes.

APPROVAL OF MINUTES

Novak asked that corrections be noted on page 2. The Minutes should state the posts should be 3 Ft. deep into the ground.

Grube moved to approve the corrections made and the April 9th Minutes. The motion was seconded by Novak. All Aye. Motion Carried.

Mayor informed Mr. McKenzie and Mr. Barlow that they were not able to vote until all old business was approved.

(Bruce Browne, City Engineer, came in at 7:45)

TREASURER'S REPORT

Grube moved to approve the Treasurer's Report. The motion was seconded by Hubbel. All Aye. Motion Carried.

Novak asked Jane Scherer, City Treasurer, in the future to make a listing of the monthly expenditures.

Hubbel moved to approve \$35.00 for Membership Fee to International Institute of Municipal Clerks. Grube second the motion. All Aye. Motion Carried.

Novak moved for approval for the concrete work performed by Mike Bilyk at 1,008.00. The motion was second by Grube. All Aye. Motion Carried.

SCANNED

3-7-07 *lt*

APPROVAL OF MUNICIPAL COURT REPORT

Grube moved to accept the Municipal Court Report. The motion was seconded by Hubbel. All Aye. Motion Carried.

OATH OF OFFICE

Mayor - John Thompson, City Attorney, administered the Oath of Office the the Mayor, Anna Mary Landauer.

Council - Jerry Barlow and Pete McKenzie was given the Oath of Office by Mayor Landauer.

City Attorney asked Mayor and Council to go out of order on the evenings Agenda. Mayor and Council agreed.

John Thompson submitted his resignation for the law firm of Davis, Davis, McGuire, and Thompson. Would like the Council to know that it has been a pleasure along with a challenge.

Mr. Thompson at this time suggested that Bob Van Cleave be appointed as the new City Attorney.

Mr. Van Cleave stated that there are still matters open that will have to be handled by Mr. Thompson and Mr. King.

City Attorney - Mayor Landauer appointed Bob Van Cleave as City Attorney.

McKenzie moved to accept the appointment of Mr. Van Cleave. The motion was seconded by Barlow. All Aye. Motion Carried.

Grube and Novak expressed their appreciation for all the efforts they put forth in the past. A job well done.

Bob Van Cleave was given the Oath of Office by Mayor Landauer.

City Engineer - Mayor Landauer reappointed Bruce Browne as the City Engineer.

Novak made motion to accept the reappointment of Bruce Browne as City Engineer. The motion was second by Grube. All Aye. Motion Carried.

Bruce Browne was given the Oath of Office by Mayor Landauer.

City Clerk - Mayor Landauer reappointed Mary Ann Mogle as the City Clerk.

Grube made motion to reappoint Mary Mogle as the City Clerk. The motion was second by Novak. All Aye. Motion Carried.

Mary Mogle was given the Oath of Office by Mayor Landauer.

Oath of Office Cont'd . . .

City Treasurer - Mayor reappointed Jane Scherer as City Treasurer.

Novak made motion to reappoint Jane Scherer as City Treasurer. The motion was second by Grube. All Aye. Motion Carried.

Jane Scherer was given the Oath of Office by Mayor Landauer.

(returned to regular agenda)

CITIZENS AND PETITIONS

Sherry Kennard - Submitted a petition against Robert L. Cofer in regards to Ordinance 174. The petition contained forty-three (43) signatures from surrounding neighbors.

Mrs. Kennard along with other neighbors explained to Council what Mr. Cofer was doing on his property. Mr. Cofer is running a trash truck and bring the trash that he picks up to his home at 15316 North Circle Drive. He also has unlicensed vehicles, wood pallets, barrels, and other various hazards and eye sores on his lot.

Novak asked the City Clerk what steps have been taken in regards to this matter.

Clerk explained that one case similar to this was dismissed at the last court hearing and other steps must be taken to assure proper procedures. The City Attorney along with the Chief of Police has prepared a letter to Mr. Cofer and that a full inspection of the property must be taken before the issuance of this letter can be mailed. Clerk expected the letter to be put in the mail the following day.

Neighbors felt that it was taking too long to get something done about this nuisance since they have been complaining for over four months.

Hubbel explained that he felt the Ordinance allowed the people involved time to clean up their property.

Mr. Heersink (neighbor) asked if Mr. Cofer had to have a Haulers Permit to have a trash route.

Mr. Van Cleave informed citizens that the Rickel Addition is not zoned for business but only for single dwelling residential.

There was further discussion by Council and Citizens. The Council said that they would see that something was done about the problem.

Robert Logan - Stated that he lives behind the north lagoon and the weeds need to be mowed since they are growing up over his cyclone fence. He wants Council to tell him how soon they will be mowed and how often they will be maintained.

He also has a complaint in regards to Leavenworth Road down by the Rankin Estates. There is an enormous chuck hole and when someone came down to fill it they put in gravel which only added dust and made the problem worse.

Grube informed the citizens that alot could be done with the streets but then taxes would have to be raised because the City just does not have the money. The City at this point maintains the streets with the monies they are aloted.

Don Inman stated that he lives on 153rd Terr. and the streets are very poor. He feels that chipping and sealing will not do any good. Wants to know if we are going to permit the City going backward or forward.

Logan stated that he still had the floor and would like to finish with his statements. Behind his house the City has along with the weeds trash, tires, aluminum along with other items that he would like to see cleaned up now. Logan also informed Council that the lagoon has been flowing over.

Grube told Logan that we can address the problems. Streets are probably not going to be worked on until August.

Novak stated that he always thought Leavenworth Road was maintained by the County.

Bruce Browne, City Engineer, said that the City maintains west of 155th Street and the County maintains east of 155th Street.

Novak made motion to have Don Wilson pick up trash, mow grass, and pick up gravel on Leavenworth Rd. within the next 10 days. The motion was second by McKenzie. All Aye. Motion Carried.

Bruce Browne submitted a report to the Council on the Streets that need to be repaired in the fall at the estimated cost of \$28,100.00. This report was made in conjunction with Leavenworth County Engineer.

Mr. Browne feels that the rock dropped by Roger Brandt on 150th Street was adequate and seems to be helping the problem.

Susan Guy informed Council that the street is still caving in. She said that when the phone cables were severed a couple of years ago after repairing is now causing the existing spring to run over the top and wash out the street.

Discussion was made on the cost of last year as compared to this year cost.

Grube informed citizens that over \$150,000 has been put out on the streets whereas the 1/2% Sales Tax allotted for the streets only brings in around 12 to 15,000 per year.

Bill Hodge asked why was the base of the streets ground up. Feels that we now have no base and this is the cause of most of our problems. Browne told Mr. Hodge that the base was ground up 3 years ago and 2" of rock added. City of Basehor could not afford any more.

Inman stated that in order for the City to last taxes will have to be increased.

Novak asked Mr. Browne approximately how much it would cost to have the streets asphalted 2". Browne stated that it would take anywhere from 400,000 to 500,000 dollars which the citizens of Basehor cannot afford. He also stated that the maintenance cost would be much higher every year.

Van Cleave informed citizens present that in order to raise taxes there would have to be a general election held.

B & G Maintenance - Mayor submitted the bid of \$3,770.00 for cleaning, mowing, and repairing of the lagoons. Grube would like to see a more explanatory bid so that later down the line they can have some leverage if things are not done to specifications.

Hubbel suggested having B & G come out at an hourly rate to cut the weeds down for the time being and table the bid until next month.

Grube made motion to have B & G cut weeds at both lagoons and defer the proposal till the next meeting. The motion was second by Pete McKenzie. All Aye. Motion Carried.

Kugler/Hodge - Mr. Kugler, attorney for William Hodge, could not understand why Mr. Hodge was sent a letter for not complying with the Mobile Home Permit. He stated that Mr. Hodge was issued a building permit and should not have to renew it every year. Mr. Hodge does have his elderly mother living in the trailer and at this time will submit a medical report. At this time they do not feel that they are in violation of any building codes.

Mayor Landauer explained that every year the Mobile Home permits have to be filled out and approved by Council.

Kuglar stated that since the City issued Hodge a Building Permit they should see it as a home and not a mobile trailer.

Kugler/Hodge Cont'd . . .

Van Cleave explained that Hodge is zoned R-1 which allows for only one (1) family dwelling and therefor requires a medical exception to place the trailer there. The permits so states that Hodge will comply with all zoning requirements.

Grube states that "we as City of Basehor is opening ourselves to a bag of worms" and is opposed for renewal of any permits that are in effect. Exceptions cannot be made.

Kugler stated that at the time the permit was issued Hodge was not informed that he would have to come before Council every year. And feels that in the event of something happened to Mrs. Hodges (mother) he should not have to sell or move the trailer.

Mrs. Hodge (wife) stated that if in the event something did happen to her mother-in-law the trailer would be sold since they would not have any further need for it.

Hubbel feels that we should comply with the wishes of the previous Council.

Novak made motion that we allow a one (1) year temporary Mobile Home Permit to Mr. Hodge on the grounds of the Medical Report submitted. McKenzie second the motion. All aye. Grube No. Motion Carried.

Alfred Musset

Mayor submitted a letter by Mr. Musset in regards to the water running onto his property that once belonged to Ray Dillion.

McKenzie commented that the State Law states that when water runs down hill it does not have to be diverted.

City agreed to make the necessary changes at a previous meeting and would follow up on the matter.

Susan Guy - Submitted a report to each Council Member as to why the City should not increase the Solid Waste bill by 20¢. She stated that previously the City was making money and that there is \$12,000 sitting in the Solid Waste Fund as it is. Feels that it is unjust and the City should absorb the increase from J & F Disposal.

Council thanked her for her input. No action taken.

Pioneer Pipe Line - Submitted a bill for 1,097.00 for work performed at 2706 155th Street. Vaughn Stoner explained to Council the water problem. Stated that when the ditch was dug it filled up almost 2 Ft. by morning. Commented that in the past there was a 12" tile that was busting up and that the water was not coming from the well because they dug it up.

Mr. Breuer, Pioneer Pipe Line, feels that since the City Inspector gave approval the City should be liable.

There was discussion as to whether or not Mr. Hayes did give his approval for the expenditure or not.

Mayor Landauer stated that she talked with the contractor and told him he would have to go to the County Engineer for approval since it was going over County property. Mayor also stated that the County Engineer had not been contacted.

Vaughn Stoner asked the City to gravel the alley in behind his store. It was brought to his attention that none of the alleys in Basehor are graveled due to the enormous expense. He feels that with the revenue his store will bring to the City they could afford to rock the alley in question.

Grube asked Mr. Stoner if he would negotiate a partial payment on the bill to Pioneer Pipe Line.

Stoner said he would be glad to negotiate if the City would rock the alley.

Grube suggested that Bob Van Cleave, City Attorney, be asked to negotiate with Stoner on the Bill of Pioneer Pipe Line. Council agreed to be phone polled on the agreed upon amount in order to expediate the monies to Pioneer Pipe Line.

Gloria Ochoa - Asked Council what steps have to be taken to get the weeds and grass mowed down on the east of her. It was suggested to her to contact Leavenworth County Weed Control.

Sid Lindelof - Asked Council why he was not issued a building permit to build a car garage on his property. Mayor stated that he was asked to take this matter to the Planning Commission.

Clerk informed Council that the problem with Mr. Lindelof's Permit was that his property is in two seperate deeds and the law states that he can only build a house on that piece of land.

KANSAS POWER & LIGHT

Art Malle with Kansas Power & Light informed Council that it was time to renew the Franchise Tax. He went on to explain the procedures in which KP & L would have to take in order to be legal.

Mr. Malle commented that all cities have the same 20 year contract and the same 3% Franchise Tax. This way it makes for easy bookkeeping and does not cause hard feelings between surrounding cities. They make the contract for twenty years on the grounds that it easier for them to borrow money from banks if the banks know they have long term contracts. And it also gives the citizens assurance that they are going to have power for the next twenty years.

The Franchise tax is designed to help compensate the City for the use of the property in which there equipment sits.

Malle asked Council to approve renewal in two separate steps.

- (1) Approve the renewal of the Franchise Tax.
- (2) Approve the publication of an ad for the next three weeks in Basehor-Sentinel.

Novak moved that we accept the renewal of the 3% Franchise Tax from Kansas Power & Light Company. The motion was second by Barlow. All Aye. Motion Carried.

Hubbel moved that KP & L be allowed to place an ad in the Basehor-Sentinel for three consecutive weeks. McKenzie second the motion. All Aye. Motion Carried.

Novak asked Mr. Malle to take a survey at their expense for additional street lighting.

LEAVENWORTH AREA DEVELOPMENT/Bill Martin

Bill Martin gave a summary of the history of Leavenworth Area Development and that its main goal was to bring industry into certain areas.

Explained the following credits that the City could take advantage of:

- (1) Job Creation Tax Credit
- (2) Target Individuals
- (3) Investment Credits
- (4) Sales Tax Refunds

Leavenworth and Lansing has accepted this program by waivering the building permit fee (still requiring a building permit to be filed).

Martin asked if he could return at the next council meeting to give further information.

Hubbel made motion that Mr. Martin develope the possibility and return the following month with a report. The motion was second by Grube. All Aye. Motion Carried.

CITY CLERK

Dog Vaccination Clinic - Asked for approval of June 1st to be Dog Vaccinatin Day at Basehor City Hall. Dr. Ringel will charge the same amount of 3.50 per vaccination as he has in the past years.

Hubbel made motion to accept June 1st as Vaccination Day. Grube second the motion. All Aye. Motion Carried.

Vacation - Informed Council that she was taking the 6th and 10th of June off for vacation.

CHIEF OF POLICE

Traffic Fine Schedule - Burdolski (Acting Chief of Police) asked Council to table the fine schedule for another month since the police chief was off sick.

Grube made motion to extend the fine schedule until the next meeting. Novak second the motion. All Aye. Motion Carried.

Ammunition - Asked for the approval to purchase 2,000 rounds of ammunition for the next class at approximately \$200.000.

Novak made motion to purchase 2,000 rounds of ammunition at the approximate amount of \$200.00. Grube second the motion. All Aye. McKenzie No. Motion Carried.

CITY ATTORNEY

Green River Ordinance - Discussion was made about the legalities to new Council members.

Grube made motion to accept the Green River Ordinance as written. Novak second the motion. All Aye. Motion Carried.

ORD. 190 - AN ORDINANCE REGULATING SOLICITORS, PEDDLERS, HAWKERS, ITINERANT MERCHANTS OR TRANSIENT VENDORS OF MERCHANDISE IN THE CITY OF BASEHOR, KANSAS, AND REPEALING ORD. NO.12 AND ANY OTHER ORDINANCES IN CONFLICT HEREWITH.

MAYOR'S REPORT

Appointments - Harry B. Reese, Municipal Court Judge
Lloyd Beth, Chief of Police
Mike Burdolski, Police Officer
Charles Jordan, Police Officer
David King, Municipal Attorney (for remainder of May).
Donald Wilson, Animal Control
Helen Godard, Zoning Appeals Board
Charlene Nance, Zoning Appeals Board
Twila Heinen, Planning Commision
Mary Mogle, Municipal Court Clerk

Grube moved to accept the Mayor's appointments. Hubbel second the motion. All Aye. Motion Carried.

President of Council - Grube nominated John Novak as President of the Basehor City Council. Hubbel second the motion. All Aye. Motion Carried.

Emergency Phone Number - Discussion was made whether or not retain Mr. Vestal at 845-3301 as dispatcher since the number published in the new phone books was going to be 724-1313.

Hubbel moved that we table this discussion till the next meeting and that the City Clerk look into Call Forwarding. Grube second the motion. All Aye. Motion Carried.

Cereal Malt License - Hubbel made motion to issued Vaughn Stoner a Cereal Malt License at 2706 155th St. The motion was second by Grube. All Aye. Motion Carried.

Air Conditioner - Grube made motion to have the Pebley Heating and Cooling contacted for a new 2 Ton Air Conditioner. Novak second the motion. All Aye. Motion Carried.

JERRY BARLOW

Pearl Stephens feels that the ditch at 2962 N. 155th Terr. needs to be deeper.

MARK GRUBE

No Comment

DANIEL HUBBEL

No Comment

PETE MCKENZIE

Would like to see a water fountain installed and also the Pledge of Alligence before the meeting begins.

JOHN NOVAK

Would like the City to increase the Water Districts \$500.00 reward by another \$250.00 in order to give a little more incentive to convict the people who turned on the hydrants.

No action taken.

ADJOURNMENT

Grube moved to adjourn the meeting. Novak second the motion. All Aye. Motion Carried.

Respectfully Submitted

Mary Ann Mogle
City Clerk