

MINUTES

BASEHOR CITY COUNCIL

May 5, 1987

7:30 PM

Basehor City Hall

MEMBERS PRESENT: John Novak, Mark Grube, Daniel Hubbel, Jerry Barlow  
James "Pete" McKenzie

OFFICIAL PRESIDING: Mayor Anna Mary Landauer

Others Present: Robert Van Cleave, Attorney  
Jane Scherer, Treasurer  
Lloyd Beth, COP  
Bill Mogle, WWTO  
Mary Mogle, Clerk  
Citizens of Basehor

Meeting was called to order by Mayor Landauer. Members present were John Novak, Mark Grube, Daniel Hubbel, James McKenzie. Absent were Jerry Barlow.

PLEDGE OF ALLEGIENCE

APPROVAL OF MINUTES

A motion was made by M. Grube and second by D. Hubbel to approve the April Minutes with the below mentioned corrections. All Aye. Motion Carried. (4-0)

- Pg. 1 - Paragraph 5: typographical error - by
- Pg. 2 - Paragraph 4: misspelled word - recourse
- Pg. 3 - Paragraph 3: Mayor would like Mogle to be addressed as William Mogle, Certified Operator of the Sewer Department.
- Pg. 3 - Paragraph 6: typographical error - of
- Pg. 4 - Paragraph 3: Mayor would like Oroke to be addressed as Commissioner Oroke and the word should to replace would.
- Pg. 6 - Paragraph 1: Mayor would like S. Eberth to be addressed as Stephen Eberth.
- Pg. 6 - Paragraph 2: Twila Hein should be Twila Heinen

APPROVAL OF TREASURER'S REPORT

A motion was made by J. Novak and second by P. McKenzie to approve the April Treasurer's Report as submitted. All Aye. Motion Carried. (4-0)

(Councilman Barlow arrived)

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by D. Hubbel and second by J. Barlow to approve the April Municipal Court Report as submitted. All Aye. Motion Carried. (5-0) Receipts - \$1,476.00

SCANNED

3-7-07 *st*

OATH OF OFFICE

Mayor Landauer administered the Oath of Office to the re-elected Councilmembers Mark Grube, John Novak, and Daniel Hubbel.

APPOINTMENTS BY MAYOR

Mayor Landauer reappointed the following city employees:

Mary Mogle, City Clerk; Lloyd Beth, Chief of Police; Jane Scherer, City Treasurer; George Simpson, Building Inspector; William Mogle, Wastewater Treatment Operator; Bruce Browne, Engineer.

Councilmember McKenzie stated he would like to appoint Ken Massingill as the new engineer instead of Bruce Browne.

Council unanimously agreed to reappoint all city employees with McKenzie voting no on the appointment of Bruce Browne.

A motion was made by P. McKenzie to reappoint Robert Van Cleave, as city attorney. Mr. Van Vleave stated that he appreciated the opportunity to serve the city, but the city attorney should live or work in Leavenworth County because of the fact that litigation would be filed in Leavenworth County District Court. Mr. McKenzie withdrew his motion.

A motion was made by M. Grube and second by D. Hubbel to appoint John Thompson as of May 6, 1987. All Aye. Motion Carried. (5-0)

APPOINTMENTS BY CHIEF OF POLICE

Chief Beth reappointed the following police officers:

Jean Hedges, Deputy Chief; Charles Jordan, Sargeant; Martin Cigich, Officer; Stephen Lechliter, Officer; Lee Huff, Officer; Anita Linder, Reserve; Donald Wilson, Animal Control Officer.

Council unanimously agreed to reappoint all current police officers.

RESIGNATION

Mayor Landauer read the resignation letter of Robert Heizer, Planning Commission. She would like to appoint Vicki Thorne to replace Mr. Heizer. Council accepted the resignation of Mr. Heizer but there was no action taken by Council on the appointment of Vicki Thorne.

ELECTION OF COUNCILPRESIDENT

A motion was made by M. Grube and second by J. Barlow to reappoint John Novak as the Council President. All Aye. Motion Carried. (5-0)

MEYER/LANDAUER ADDITION (Public Hearing)

Council held this public hearing to hear the views from the citizens in Meyer Addition and Landauer Addition concerning the installation and cost assessment of culverts in their driveways.

LANDAUER ADDITION - Richard Breedlove and Garland James were not present to contest.

Sharon Herdman questioned when the tube under 155th Street was going to be replaced, whether or not the right-of-way has been procured, and the purpose of the orange paint. Mayor stated the right-of-way has not yet been obtained and that the tube should be delivered within two to three weeks.

MEYER ADDITION - Paula Ross stated that she currently has a tile drain and does not feel that they should buy another culvert. She explained that the existing tube under 155th Street needs to be cleaned and ditched, and that the field in back needs to be terraced.

Tom Sutlick stated that he felt he is the only one on the street that would benefit by installing a culvert since the water stands in his driveway. He also feels that the water at the bottom of the hill needs to be directed toward the existing culvert.

John Crum stated that the bridge will not handle rain and backs water up (east) at the end of the hill.

Nancy Witten stated that she felt the flooding would be worse if the city installed culverts.

John Cox stated that the city cannot expect the water to drain half a mile into only one culvert.

Grube stated that the problem they face is that the road belongs to the County and they must be consulted.

Ms. Ross stated that the ditch on the north needs to be dug deeper and the tube cleaned out. She feels that they should wait to tear up their road until the main culvert is maintained.

J. Novak suggested the Meyer Addition residents band together and meet with the County Commissioners regarding this drainage problem.

A motion was made by M. Grube and second by J. Novak to postpone the installation of culverts until the problem can be reassessed. All Aye. Motion Carried. (5-0)

Members of Meyer Addition Present:  
John Cox - 3708 N. 154th Terr.  
John Crum - 3707 N. 154th Terr.  
Nancy Witten - 3701 N. 154th Terr.  
Paula Ross - 3601 N. 154th Terr.  
Leo Richter - 3610 N. 154th Terr.  
Tom Sutlick - 3702 N. 154th Terr.

Mayor stated that Mrs. Dorothy Treff was present to hear the complaints from the Meyer Addition Citizens and would be glad to work with them.

CITIZENS AND PETITIONS

D. J. ROBERTS - Is a consultant for the Greater Americana Corp. of Overland Park. Mr. Roberts expressed to Council that his company is looking to establish their first chapter in the Leavenworth County area. He explained that the steam engine excursion would consist of a three hour tour (serving a six to seven course meal) combined with freight service. Roberts explained the route to be taken and problems they are faced with regarding the purchasing of the various sections of track from the Burlington, Northwestern, and the Santa Fe Railroads.

Mr. Roberts is two weeks away from putting together an investors package and would encourage written support from the city council and organizations in Basehor.

John Crum announced that there is currently a plan in the works for a 160 acre senior citizen park west of Basehor.

Mr. Roberts stated that Santa Fe has a three year plan to abandon the tracks. If the abandonment rights are granted it will take the City of Leavenworth or Port Authority to get a federal judge to grant an injunction to stop the abandonment.

Mr. Roberts feels that the best solution is for the City of Leavenworth or the County of Leavenworth to buy the line for an investment and let Greater Americana run it for them.

Mr. Roberts gave the address where to write to Santa Fe encouraging the use of the tracks.

A motion was made by J. Novak and second by D. Hubbel to send a letter to D.J. Roberts encouraging the purchasing of the track and to R.M. Champion opposing the abandonment of the rail. All Aye. Motion Carried. (5-0)

ANIMAL CONTROL OFFICER

VICIOUS DOG ORDINANCE - Council wished to review the ordinance further till next meeting in June.

CITY CLERK

BUILDING PERMIT FORMS - Clerk stated that she needed to do further research regarding the changes in the building permits and would report at the next meeting.

BUDGET MEETING - A motion was made by J. Barlow and second by M. Grube to hold the budget meeting on June 1, 1987 at 7:00 p.m. All Aye. McKenzie - No. (4-1)

CHIEF OF POLICE

EXECUTIVE SESSION - Requested an executive session. Council deferred till the last portion of the meeting.

CITY ATTORNEY

TYPICAL STREET ORDINANCE - Must be tabled since he has not yet received information from city engineer, Bruce Browne.

MEETING DATE ORDINANCE - A motion was made by P. McKenzie and second by J. Barlow to approve the ordinance for the first reading changing the Council Meeting to the first Monday of every month beginning July. All Aye. Motion Carried. (5-0)

Mayor read the ordinance to the citizens.

MAYOR'S REPORT

PIPER INCORPORATION PETITION - Asked Council if they want to send a representative to the public hearing regarding the incorporation of Piper, Kansas. Council felt that they would take a neutral stand.

CHAMBER OF COMMERCE LETTER - Basehor and Tonganoxie Chamber of Commerce is going to hold three meeting (5/14, 5/28, and 6/11) regarding the survey of small businesses in our area

PLANNING COMMISSION SECRETARY - A motion was made by J. Novak and second by P. McKenzie to appoint Joyce Bowlin as secretary to the Basehor Planning Commission for \$4.00 per hour. All Aye. Motion Carried. (5-0)

P. McKenzie asked Council to hold a special workshop to go over their Comprehensive Plan Books to make sure they have all the necessary papers. Council agreed to meet after the budget meeting on June 1, 1987.

AMBROSE JENNINGS - Questioned Council if they were aware of the condition of the sewer line south of city hall. Jennings feels that it is inadequate and feels that Browne has not come up with an idea to stabilize the erosion problem. Jennings stated that he pulled a chunk of concrete out that was along the fence and the erosion is taking place around the concrete header wall.

Mayor Landauer stated that the problem has been handled per the engineers recommendations.

Bill Mogle, WWTO, stated he checked the line during the last rain and water was running up and over the shot rock. He could tell that silt was depositing and would continue to deposit. He feels that rock or concrete needs to be filed on the north side of the pipe.

Jennings also felt that the maintenance man should keep the

sewer easements mowed. Van Cleave stated that the city does not have an obligation to mow the easements only maintain what is underneath the ground.

Bill Mogle, WWTO, stated there are two easements on Jennings property running north & south and east & west. Felt the farmer leasing the ground is going to be very upset when we mow down his crops. No action taken by Council regarding the mowing of easements.

JOHN NOVAK

FOURTH OF JULY - City has received a \$25.00 donation in lieu of booth rental.

Requested the clerk set up a meeting for Friday night with Stephen Hill, Bill Mogle, Don Wilson, and himself regarding the arrangements for the celebration.

MARK GRUBE

DANIEL HUBBEL

JERRY BARLOW

JAMES MCKENZIE

KLAMM ST. - Feels AB3 rock should have been placed on 156th Street instead of the larger rock.

OTHER BUISNESS

David Breuer requested the Council waive the installation of asphalt in his subdivision until first house is ready for occupancy. He stated he has several people want to have their homes completed by the time school starts. He requested that building permits be issued once the curb and gutters are completed. He stated that his streets will be the best in Basehor consisting of 3" base, 6" base with 12" on back with another 3" base and 3" of asphalt.

Hubbel and Grube feels there should be a written agreement giving a time limit on the finalization of the asphalt. McKenzie feels that a mans word should be enough.

J. Novak made a motion to have Bob Van Cleave and David Breuer draw up an agreement or waiver allowing the subdivision requirements be waived till such a given time.

David Breuer suggested not allowing occupancy until roads are completed. Van Cleave did not recommend this procedure but that the City put a lien on Mr. Breuers property until such work was performed.

A motion was made by D. Hubbel and second by J. Barlow to issue building permits and not allow occupancy until the asphalt roads were completed. All Aye. Motion Carried. (5-0)

STREET LIGHT - J. Novak stated Mr. Walters and Mr. Lewis, Rickel Addition, contacted him requesting a street light be installed on 154th Terr. approximately 600' from Elm Street.

A motion was made by J. Barlow and second by J. Novak to have KPL Gas Service give a recommendation. All Aye. Motion Carried. (5-0)

EXECUTIVE SESSION

Council adjourned to the police department to discuss personal matter. Resumed at 10:30 p.m.

A motion was made by J. Novak and second by M. Grube to purchase a Breath-O-Lizer Flashlight (\$500) and shot gun with ammunition (\$250). Hubbel and Grube to investigate financing for another police car. All Aye. Motion Carried. (5-0)

ADJOURNMENT

A motion was made by J. Novak and second by J. Barlow to adjourn the meeting. Meeting adjourned at 10:40 P.M.

Submitted by,

Mary Mogle  
City Clerk

NOTE: Clerk absent first portion of meeting (Delinquents - Election of President) is not recorded on tape.

These Minutes are subject to Council approval on June 2, 1987.

APPROVED: \_\_\_\_\_