

MINUTES

app. 7-6-87
w/ corr.

BASEHOR CITY COUNCIL
June 2, 1987
7:30 PM
Basehor City Hall

MEMBERS PRESENT: John Novak, Mark Grube, Daniel Hubbel,
Jerry Barlow

OFFICIAL PRESIDING: Mayor Anna Mary Landauer

Others Present: John Thompson, Attorney
Jane Scherer, Treasurer
Lloyd Beth, COP
Bill Mogle, WWTO
Mary Mogle, City Clerk

The meeting was called to order by Mayor Landauer at 7:30 PM. Members present were John Novak, Daniel Hubbel, Mark Grube, and Jerry Barlow. Members absent were James McKenzie.

APPROVAL OF MINUTES

A motion was made by M. Grube and second by J. Novak to approve the Minutes of May 5, 1987 on Sewer and Solid Waste Delinquents. All Aye. Motion Carried. (4-0)

A motion was made by D. Hubbel and second by J. Barlow to approve the Minutes of May 5, 1987 as written. All Aye. Motion Carried. (4-0)

A motion was made by J. Novak and second by M. Grube to approve the Minutes of June 1, 1987 on the Budget Meeting. All Aye. Motion Carried. (4-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by J. Novak and second by M. Grube to reinvest CD #3172 at the highest interest rate. All Aye. Motion Carried. (4-0)

A motion was made by M. Grube and second by J. Novak to approve the May 1987 Treasurer's Report as submitted. All Aye. Motion Carried. (4-0)

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by D. Hubbel and second by J. Barlow to approve the May 1987 Municipal Court Report. All Aye. Motion Carried. (4-0) Receipts - 1,039.00

CITIZENS AND PETITIONS

GLORIA OCHOA - Not Present. Mayor stated the complaint was concerning the tall grass at the north lagoon. Clerk reported the grass had been cut early in the day.

SCANNED

3-7-07 *At*

JACK WILLIAMS - Drainage: Mr. Williams stated he is concerned with the flooding from 155th Street onto his property. He feels it is due to poor planning and has cost him "many" dollars to repair the damage. He feels the money used for the police dept. could go for upgrading the streets in Basehor.

Police Dept. - Mr. & Mrs. Williams feels the police department is growing too fast, unprofessional, should stop harassing the citizens, and all officers should live in the county and/or city. Mr. Williams mentioned several instances where he witnessed the officers on and off duty at fault (in his opinion) between October 1986 to the present. Another complaint was the disruption caused by the officers during court proceedings.

Mr. & Mrs. Williams also stated the officers are not properly trained. J. Novak stated the officers have been (trained by the *conv. - given* state department and have more than adequate training) *So he training and take a test given by the state dept.*

Chief Beth stated his five officers and himself pay over \$500 for equipment and uniform just to become an officer. The only item the city buys for them is \$300-\$400 worth of ammunition for target practice every six month which is required by state law to maintain their certification. He stated all part-time officers must have 80 hrs. training but he gives the officers 100 hrs. plus. Only full time officers are required to go through Hutchison for training.

Mr. Williams stated the headlight on the police car was burned out at the beginning of the officers shift (7:00 pm). Chief Beth stated the headlight was working at the beginning and did not stop working till later in the evening. Chief Beth asked Mr. Williams where he could buy a headlight ten o'clock at night.

Chief Beth stated to Mr. Williams that being an insurance agent he should be concerned about people obeying the laws and that he was clocked doing seventeen miles over. Mr. Williams made comment to the city attorney that he just heard what the chief said. John Thompson told Mr. Williams it was public record.

Hubbel stated with the small budget the city runs on does not allow them to hire more experienced help. He asked if the motive was to "do away with" the police department.

Chief Beth reminded citizens at the November meeting he invited them to ride with the officers to observe, and so far no one has bothered to contact him.

Grube stated he feels the concensus of the public on a ratio of 5-1 do not feel they have enough protection.

Mr. Williams observed an off duty officer speeding down parallel at a high rate of speed (Wy. Cty Tag). J. Novak asked Chief Beth to investigate and report to Council.

BECKY ELKINS - Inquired as to the status of the street sign survey that was asked for last November. Mayor stated signs are on order. Mrs. Elkins also wanted to know if she should have requested in writing the outcome of her last years "delimita" by an impartial mediator.

M. Grube stated the only disciplinary action is taken by Chief of Police and he can give her any information she wants.

Others citizens present but not listed on agenda were Virginia Williams, Jim Cook, and Steven Cole with complaints (speaking at various times during the meeting) regarding the activities, equipment, and professionalism of the Basehor Police Department. Pictures were submitted by Jim Cook of Chief Beths home and police car questioning the insurance rate presently being paid. Clerk stated the car has been turned over to the insurance company as being housed in Kansas City, Kansas. Beth stated the house shown is his neighbors which gave him permission to use their driveway until his concrete work is finished.

ANIMAL CONTROL OFFICER/MAINTENANCE

VICIOUS DOG ORDINANCE - Council unanimously agreed to acquire more information from various cities before passing the ordinance. Barlow made motion to table till the next meeting.

MAINTENANCE ALLOWANCE - Council discussed the additional expenditure of \$250 per month and did not feel it was necessary. They felt that if Mr. Wilson needed any tools he could come to the Mayor or one of them and they would purchase the items he needed.

J. Novak stated from here on out it should be understood the city to purchase commercial tools. Council unanimously agreed. Maintenance allowance was denied.

SUSAN GUY - Asked Mayor to return the meeting to Citizens and Petitions as there were several people still wanting to talk.

Mrs. Guy reported the Chamber of Commerce market survey is in the mail and copies may also be obtained at the library.

Mrs. Guy stated that only Mayor and Chief of Police has the authorization to spend \$200 per month, not Council members.

COMPLAINTS AGAINST BUILDING INSPECTOR

Roger Brandt, Raymond Wright, Jeff and Francis Scherer, Dr. Jack Rankin, and H. E. Miller were present expressing complaints against the building inspector concerning the process of inspections and his availability. They showed concern as to whether the inspector was enforcing Johnson County regulations or Basehors regulations. They felt the inspector should live within the city limits. Council was questioned as to why John Landauer and David Breuer have not been made to post a performance bond. Council will check into the matter.

J. Novak made a motion to call an executive session with all employees. No action.

J. Barlow and M. Grube suggested having a special meeting with area builders and Council. Mayor Landauer felt the inspector should be invited to hear their complaints and could explain his actions better than the Council. J. Novak suggested maybe they would want to form a builders association.

Mr. Scherer questioned why gravel had to be put under service sewer lines now when they did not have to in the past. Art Miller stated the gravel was a new state law and must be filled up to the center of the pipe.

Dr. Jack Rankin asked why the inspector told a builder to install 5" sewer pipe when that size is no longer made.

Council felt they were not knowledgeable enough in the construction area to hold a meeting without the inspector. Mr. Cole suggested the city work on a time share program with other cities or have the Council take further training. Council felt the city could not afford to send each of them to school. Mr. Cole stated the Chamber of Commerce has asked him to move his \$5,000,000 business to Basehor, and after what he has witnessed at this meeting he will not be doing so. Mr. Cole at this time walked out. Mayor asked him to come back and discuss the matter. Cole did not return.

Mrs. Guy stated later in the meeting she felt the Council owed Mr. Cole a written apology because he was not treated fairly. Council unanimously agreed that they had not been treated fairly not Mr. Cole.

A motion was made by J. Novak and second by D. Hubbel to set up a special meeting with area builders, Council and a representative from Tonganoxie on June 22, 1987 at 7:30 p.m. All Aye. Motion Carried. (4-0)

CITY CLERK

BUILDING PERMIT FORM - Clerk submitted a building permit form based on square footage to work in conjunction with Ordinance 126 and the Uniform Building Codes. She stated there would be a small increase in the permit fee from the past method. This increase could be used as an administration fee. This fee amount can be set by the Council.

Mrs. Guy asked how an addition to an existing structure would be charged. Clerk said she would have to do further research and report at the next meeting.

Mary McBrien felt the city is not big enough to pay Council and Marion McBrien stated he was accused of writing a letter turning Mr. Hodge and Mr. Kemler in for being a nuisance. He feels that Parallel is a major thoroughfare and should not be necessary for anyone to contact the city officials they should take action on their own. Easement on the road is still cluttered up.

Mr. Stroud expressed his appreciation to the Council for replacing the tube under 155th Street. Sharon Herdman agreed.

CITY EMPLOYEE SALARIES - Clerk submitted a list of city employees, average monthly salary, and consumer price index increase. Council unanimously agreed to reserve the right to call executive session after the special meeting on June 22nd to put together a employee package.

SALARY FOR COUNCIL & MAYOR - M. Grube stated there should not be a compensation only a reimbursement for out of pocket expenses.

Jerry Barlow asked John Thompson, attorney, if they are personally insure against any lawsuits. Thompson reported it was being redefined in the supreme court and would be glad to discuss it in the executive session. Mayor asked Thompson to be present at the June 22nd meeting.

CHIEF OF POLICE

CITY ATTORNEY

COUNCIL MEETING ORDINANCE - A motion was made by M. Grube and second by J. Barlow to waive the second reading and accept Ordinance #207 as written. All Aye. Motion Carried. (4-0)

ORD. 207 - AN ORDINANCE RELATING TO REGULAR MONTHLY MEETINGS OF THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS PRESCRIBING THE TIME AND PLACE OF SUCH MEETINGS.

MAYOR'S REPORT

STREET LIGHT - Has not received information, will report at next meeting.

CITY OF EDWARDSVILLE PETITION - J. Novak moved to support the race track. Grube, Hubbel, and Barlow moved to stay neutral. Action will not be taken.

STONER CEREAL MALT LICENSE - A motion was made by J. Novak and second by J. Barlow to renew the Cereal Malt License for Stoner Trading Post. All Aye. Motion Carried. (4-0)

CHIP & SEAL STREETS - Mayor reported the County will start chipping and sealing the streets and should be completed by June 16th.

There was discussion as to whether or not Basehor St. is considered a dedicated street or personal property. Council felt that if the street is dedicated then it should be brought up to specifications but if it is not it should be closed so the city would not be liable in case of an accident. Mayor asked attorney to check into the matter and report at a later date.

Mayor stated the police department will be handing out flyers asking that all vehicles be removed from the streets until after the 16th of June to allow mobility for the county workers.

142ND STREET - Mayor read a letter from Wyandotte County stating they will chip and seal 142nd Street this year and in two years the City of Basehor will maintain. Council approved.

CHARTER ORDINANCE - Council asked attorney, John Thompson, to check into changing the Charter Ordinance to allow them to raise the tax lid. He agreed to report at the July meeting.

APPOINTMENTS - Mayor asked Council to reappoint Harry Reese as the Municipal Court Judge. M. Grube felt that before the reappointment takes place they should speak with Judge Reese about the process of fines and appeals. Council asked J. Thompson to make a report at the June 22nd meeting in executive session.

Citizens expressed concern of the cost of appeals and the reputation Basehor is acquiring.

Tom Kerr stated he felt that in some areas they needed to be patrolled more frequently, primarily the Rankin Addition. He inquired as to when street lights would be installed. M. Grube stated that normally when the subdivision to approximately 50% populated they will ask KPL to perform a survey.

Mayor asked Council to appoint Vicki Thorne to the Basehor Planning Commission. She will be replacing Robert Heizer.

A motion was made by D. Hubbel and second by J. Novak to appoint Vicki Thorne to the Planning Commission. All Aye. Motion Carried.
(4-0)

SEMINAR - Mayor asked Council's permission to attend a seminar being held in Overland Park on June 26th. The fee is \$39.00. Request denied.

TYPICAL STREET - David Breuer explained to Council that his plat plan was approved by the city engineer, planning commission, and Council for 27 ft. streets. He explained that if he is made to comply with the 31 ft. streets he will run into trouble with the newly installed sewer lines.

J. Thompson stated the city has essentially granted him a variance by approving the final plat plan previously, and no action needs to be taken.

Council unanimously agreed due to the city officials error the 27 ft. streets should be approved.

A motion was made by D. Hubbel and second by J. Novak to send the typical street details back to Bruce Browne for corrections to include seeding of right-of-ways and curb and gutter to consist of a configuration of 3"-3"-3" asphalt for approval at the July meeting. All Aye.

JOHN NOVAK

SEWER CONNECTION FEE - Novak requested Council approval to increase the sewer connection fee by \$150. After a lengthy discussion Council postponed the decision till the July meeting.

FIREWORKS - Fireworks will be picked up on Sunday in Wichita by Danny Dearing and himself.

MARK GRUBE

POLICE CAR - Arranged financing for a 1984 police car through Bill New at First State Bank in Tonganoxie. He explained a temporary note will be drawn up amortizing the principal payments over a 24 month period and paying interest on a semi-annual basis. Cost of the car will be approximately \$4,500 plus tires.

A motion was made by M. Grube and second by J. Barlow to buy the police car as previous described. All Aye. Motion Carried. (4-0)

DANIEL HUBBEL

MAPLE STREET - Requested "No Parking" signs be placed on the south side of Maple Street from 155th St. to 155th Terr.

Grube suggested replacing the tube in the alley behind Casey's to extend farther east and west. He suggested connecting the entrance tube at Casey's Store with the tube in the alley. Council unanimously approved to purchase and install a new 15" x 18' tube in the alley and install posts at each end to prevent future damage.

STREET LIGHT - Reported the street light at 156th & Maple is burned out.

JERRY BARLOW

OTHER BUISNESS

JEFFERSON COUNTY CABLE - John Watkins informed Council he has had an offer to sell his cable company in Basehor to Doug Dittrich. He feels Mr. Dittrich will be able to afford more stations and pay to have other stations descrambled.

He asked the Council to consider approving a resolution allowing him to change the company from his hands to Douglas Cable Communication Limited Partnership. He hope to have all the paperwork finalized by July 15th and can have the resolution ready by the June 22nd meeting.

ADJOURNMENT

Mayor moved to adjourn the meeting. J. Novak second the motion. All Aye. Meeting adjourned at 11:40 P.M.

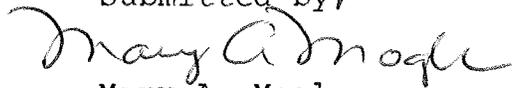
ADDITIONS TO MINUTES

Approval was given to clerk on June 8th by Councilmen Hubbel, Grube, and Novak to purchase the 1984 police car from Diversifleet with city funds since a temporary note could not legally be used in this case. This was approved at the recommendation of the city attorney and city treasurer.

Approval was given to clerk on June 29th by Councilmen Novak, Grube, and McKenzie to allocate \$250.00 for a band for the 4th of July festivities.

These Minutes are subject to Council approval on July 6, 1987.

Submitted by,



Mary A. Mogle
City Clerk

7-6-87 w/ correction
Date Approved (pg 2)