MINUTES

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

MEMBERS PRESENT: John Novak, Daniel Hubbel, Jerry Barlow, and Pete McKenzie

MEMBERS ABSENT: Mark Grube

OFFICIAL PRESIDING: Mayor Anna Mary Landauer

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

In the absence of Mayor Landauer, President, John Novak presided over the meeting. Members present were Daniel Hubbel, Jerry Barlow, and Pete McKenzie. Absent was Mark Grube.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion was made by D. Hubbel and second by J. Barlow to approve the November 2, 1987 Minutes as written. All Aye. Motion Carried. (3-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by P. McKenzie and second by D. Hubbel to reinvest CD #3172 for six months. All Aye. Motion Carried (3-0)

A motion was made by J. Novak and second by P. McKenzie to approve the November 1987 Treasurer's Report as submitted. All Aye. Motion Carried. (3-0)

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by J. Barlow and second by D. Hubbel to approve the November 1987 Municipal Court Report as submitted. All Aye. Motion Carried. (3-0) Receipts - 1,833.00

CITIZENS AND PETITIONS

No requests were submitted.

BASEHOR-LINWOOD USD #458

Supt. Charles Edmonds and David Reese, Principal of the Basehor Lower Elementary appeared at the request of the Council to discuss the matter of additional crossguards for children who walk home from elementary school.

Mr. Reese presented Council with a drawing of the school vacinity and pictures of defaced street signs. He felt by adding "School Zone" Signs on 156th St., Klamm Street and Leavenworth Rd., replacing the defaced signs, and having a police officer occasionally patrol the area when school was dismissing this should eliminate the need for
a crossguard.

Mr. Edmonds reported he had contacted the State Commissioner to inquire about using school funds to pay for the flashing school zone lights. He was informed that the school could not enter into a transaction of this nature since the lights would not be located on school property, but would be happy to donate to the cause personally.

Councilman Barlow stated the funds would be raised by community effort and maybe the school district could pay for the electricity.

(Mayor Landauer arrived and conducted the remainder of the meeting)

A motion was made by J. Barlow and second by J. Novak to replace the defaced signs and install "School Zone" signs on Klamm St., 156th St., and Leavenworth Road. All Aye. Motion Carried. (4-0)

J. Novak asked that Chief Beth be notified to instruct his police officers to patrol the area more frequently.

BASEHOR PLANNING COMMISSION

ORD. #200 - Commission requested Council amend Ord. #200 (Sec. 7, Art. 2) of the Subdivision Regulations to read "Double paved driveway to edge of the street x 24 feet."

John Thompson, attorney, advised Council not to set a precedent by allowing property owners to build on city property. By requiring the concrete to extend onto city property, this holds the city liable for future damages.

Council unanimously agreed to leave Ord. #200 to read "Double paved driveways of 40 x 24 feet".

STREET LIGHTS - Requested the city install street lights in front of all businesses, churches, and public facilities.

Council felt no action should be taken until the long range master plan is submitted by KPL Gas Service.

STOP SIGN - Requested the city install a stop sign at the corner of 153rd Terr. & Parallel.

A motion was made by D. Hubbel and second by P. McKenzie to install a stop sign at 153rd Terr. & Parallel. All Aye. Motion Carried. (4-0)

City attorney to have ordinance ready for first reading on January 4, 1987.

LANDAUER EXTENSION - Requested Council look into extending the street between Landauer St. and Chestnut St.

After a brief discussion as to John Landauer's property lines, the Council did not feel any action should be taken at this time.

WASTEWATER TREATMENT OPERATOR

TOTALIZER GAUGE - Information unavailable at this time.

PUMP ESTIMATE - Submitted a bid from Coleman Implement for a one-man pump to clean out clogged sewer lines. The cost will be approximately $840 plus hoses.

A motion was made by J. Barlow and second by D. Hubbel to purchase the pump and hoses from Coleman Implement upon approval from the city engineer. All Aye. Motion Carried. (4-0)

BOAT - Informed Council that he is needing a boat to make repairs to aerators. He informed Council he had rented a boat from U-Haul last month a could continue to do so, or, they could purchase a used one.

Council asked the operator to look around for an inexpensive boat.

FENCE ESTIMATE - Submitted three estimates for the fence at the north lagoon. He suggested before the Council contracted to have the fence installed, they needed to check for the correct property line. Councilman Novak asked city attorney to check into the legalities of installing barbwire fence next to a residential area.

Operator also reported he has ordered three warning signs to post at the lagoon areas.

SEWER LINE WASHOUT - Reported Mr. Jennings, property owner south of city hall, is not satisfied with the way the city is handling the water drainage. Bill Mogie reported the shot rock dumped on Jennings property earlier is now beginning to stabalize and hold soil.

Mr. Jennings asked if the EPA has approved the situation the way it is currently. RWTO Mogie reported EPA was aware of the exposed line (before shot rock was dumped) and did not seem concerned about the situation. Jennings feels the city is responsible for the ravine and should be made to re-terrace his property. Mayor Landauer addressed
Attorney Thompson as to the city's obligation. Trompson responded by saying if the condition of the city right-of-way is causing damage the city can be held liable, but it would be up to property owner to to prove the city had been negligent by not following the city engineers recommendations.

Mayor stated she will acquire a topography of Jennings land and check with the city engineer again.

MAINTENANCE

TOOL BOX/TOOLS - Requested Council approval to purchase a small tool box (to be attached to fender of tractor) and additional tools.

A motion was made by J. Barlow and second by P. McKenzie to approve the expenditure of $150 for a tool box and tools. All Aye. Motion Carried. (4-0)

CITY CLERK

COPIER - Clerk submitted a list of four bids for Council approval on a new copier.

#1 Recommendation: #8100 Sharp w/ 1 yr. maintenance - 2,767.00
or 24 mo. Lease/Purchase ($1.00) - 123.08/mo.

#2 Recommendation: SFT Z120 Sanyo w/ 1 yr. maintenance- 3,000.00
or 24 mo. Lease/Purchase ($1.00) - 128.70/mo.

#3 Recommendation: #3M-6215 Richo w/ 1 yr. maintenance- 3,542.50
or 36 mo. Lease/Purchase ($1.00) - 110.10/mo.

#4 Recommendation: #1025 Xerox w/ 1 yr. maintenance - 4,155.00
or 24 mo. Lease/Purchase ($1.00) - 131.66/mo.

P. McKenzie felt the city should buy the second recommendation since it would be purchased in Leavenworth County.

A motion was made by P. McKenzie and second by D. Hubbel to purchase the Model #SFT-Z120 Sanyo Copier (Leavenworth Office Equip) on a 24 month lease/purchase and 1 year maintenance contract. All Aye. Motion Carried. (4-0)

CEREAL MALT STAMP - Reported since the Council had changed the Cereal Malt License to be on a calendar basis and approved on or before January 1, 1988, the State is not requiring a stamp be purchased until December 1988.

DOUGLAS CABLE CORP. - Reported Douglas Cable has sent information regarding a price increase and also the new Cable Act.

CITY ATTORNEY

CHARTER & YIELD SIGN ORD. - A motion was made by D. Hubbel and second by P. McKenzie to approve the Charter Ord. and Yield Sign Ord. and waive the reading. All Aye. Novak - No on Charter Ord. Motion Carried. Charter (3-1) Yield Sign (4-0)

ORD. #208 - A CHARTER ORDINANCE EXEMPTING THE CITY OF BASEHOR FROM K.S.A. 79-5001 TO 79-5017, INCLUSIVE, AND ANY AMENDMENTS THERETO.

ORD. #209 - AN ORDINANCE PROVIDING FOR A YIELD SIGN AT 153RD TERRACE AND RICKEL DRIVE AND REPEALING ORDINANCES IN CONFLICT.

VICIOUS DOG ORDINANACE - A motion was made by J. Novak and second by D. Hubbel to approve the Vicious Dog Ord. on first reading. All Aye. Motion Carried. (4-0)

(Second Reading - January 4, 1987)

CRIMINAL CODE - A motion was made by D. Hubbel and second by J. Novak to approve the Underage Drinking Ord. on an emergency basis and waive the reading. All Aye. Motion Carried. (4-0)

ORD. #210 - AN ORDINANCE AMENDING ORDINANCE 88 OF THE CITY OF BASEHOR, KANSAS, REPEALING ARTICLE 15 OF SAID ORDINANCE 88 ENTITLED "PUBLIC INTOXICATION" AND AMENDING ARTICLE 12 WHICH SHALL NOW BE ENTITLED "ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE OFFENSES" AND DEFINING AND PROHIBITING THE TRANSPORTATION OF ALCOHOLIC LIQOUR AND CEREAL MALT BEVERAGE BY PERSONS UNDER 21 YEARS OF AGE WITHIN THE CITY LIMITS OF THE CITY OF BASEHOR, KANSAS.

Thompson also requested the Council review two other ordinances for approval in January regarding Urinating in Public and Municipal Code.

CHIEF OF POLICE

PROBATION SERVICE - Requested to be tabled till executive session.

RANKIN ESTATES - Asked Council to look into installing the necessary street signs in the new section of Rankin Addition.

SNOW TIRES - A motion was made by J. Barlow and second by J. Novak to approve the purchase of new radial all weather tires for the police car. All Aye. Motion Carried. (4-0)

MAYOR'S REPORT

CEREAL MALT RENEWAL - A motion was made by J. Novak and second by P. McKenzie to approve cereal malt license renewal for Waymires IGA, Stoner's Convenience Store, and Casey's General Store. All Aye. Motion Carried. (4-0)

Chief Beth stated he felt some area business employees were underage to be selling the cereal malt beverages. Council suggested sending a warning letter to licensee.

POLICE CAR - Mayor reported the Chief of Police has been offered $400 for the 1981 Ford Police Car.

A motion was made by J. Barlow and second by J. Novak to sell the 1981 Ford Police Car for $400 to the recommended individual. All Aye. Motion Carried. (4-0)

STREET LIGHTS- A motion was made by J. Barlow and second by J. Novak to approve the installation of street lights in Rankin-Phase III and (1) Klamm Street per KPL recommendation. All Aye. Motion Carried. (4-0)

COUNTY SPEED LIMIT SURVEY - Clerk reported she has talked with the man who performed the survey and it was in his opinion the signs posted were adequate.

Chief Beth requested the Council purchase signs to help enable the police department and citizens to know where the school zone begins and ends. Council unanimously agreed.

JOHN NOVAK

ANIMAL CONTROL OFFICER - Questioned clerk as to the reason for the mileage submitted by the officer for following the trash route. Clerk reported there had been a complaint on 142nd Street of a dog chasing the sanitation workers.

Councilman Hubbel felt this topic should not be discussed with the clerk but addressed directly to Slim (ACO).

DANIEL HUBBEL

SEWER FEES - Submitted a report showing the amount of money that could be made available for a Capital Improvement Fund by raising monthly sewer fees.

He estimated by raising fees forty-five cents per month-invested at an interest rate of 7% over a period of twenty years, the 332 Class II customers alone would bring in approximately $102,144.00.

Councilman McKenzie commended Hubbel on his efforts and suggested they table this decision till next month so they could have time to review his report. Council agreed.

JERRY BARLOW

No comment at this time.

PETE MCKENZIE

KLAMM ST. - Reported the curb and gutter on Klamm St. has been completed and all that is left is a small amount of rock to be dumped at the west end. He also felt the curbs should be cleaned out on a regular basis or it would cause erosion.

EXECUTIVE SESSION

Mayor announced the Council would deliberate into executive session for approximately forty-five minutes to one hour to confer with attorney. (9:30 pm)

Mayor and Council returned from executive session at 10:00 pm and reported the meeting was on pending letigation and no action taken.

ADJOURNMENT

A motion was made by D. Hubbel and second by J. Novak to adjourn the meeting. All Aye. Motion Carried. (4-0) Meeting was adjourned at 10:05 pm.

SUBMITTED BY,

Mary A. Mogle, Clerk

1-4-88
DATE APPROVED

ADDITION

1981 Ford Police Car bearing the serial number of 1FABP31F2BU166840 was sold on December 9, 1987 to William & Shanna McNeal for $400 per Council approval.