MINUTES

BASEHOR CITY COUNCIL
February 6, 1989
7:30 PM
Basehor City Hall

MEMBERS PRESENT: John Novak (Pres.), Mark Grube, Daniel Hubbel, Jerry Barlow, and Pete McKenzie

OFFICIAL PRESIDING: MAYOR ANNA MARY LANDAUER

Others Present: John Thompson, Atty. Jane Scherer, Treas.
Mary Mogle, Clerk Bill Mogle, WWTO
Jean Hedges, Deputy Chief Citizens of Basehor

APPROVAL OF MINUTES

P. McKenzie moved to approve the January 3rd & January 10th Minutes as written. M. Grube second the motion. All Aye. Motion Carried. (5-0)

APPROVAL OF TREASURER'S REPORT

A motion was made by P. McKenzie and second by J. Barlow to transfer $60,000 from the money market account into Certificates of Deposit in $30,000.00 increments. All Aye. Motion Carried. (5-0)

J. Novak moved to approve the January 1989 Treasurer's report as submitted. The motion was second by M. Grube. All Aye. Motion Carried. (5-0)

APPROVAL OF MUNICIPAL COURT REPORT

A motion was made by M. Grube and second by P. McKenzie to approve the January 1989 Municipal Court Report as submitted. All Aye. Motion Carried. (5-0) Receipts - 1,686.00

CITIZENS AND PETITIONS

RAY BREUER (Special Use Permit) - Not Present

JAMES DELUCA (Cable Television) - Not Present

DAVID BREUER (Cable Television) - Mr. Breuer asked that since the cable company was not present at tonights meeting, would be he allowed to speak on another subject. Council agreed to his request.

SCANNED
3-5-07 lt

Mr. Breuer questioned Councils intentions regarding the annexation of Mokan Concrete Plant and the Industrial Revenue Bonds being allocated. Breuer stated he has appeared before the Leavenworth County Commissioners, as a school board member, opposing the tax abatement. He feels the abatement will reduce his school districts taxes. He urged the governing body to annex the property in order to reap whatever revenue they could from the property.

Attorney, John Thompson, reinerated from past meetings that it is very costly and time consuming for the city to take annexation procedures, and would be more beneficial to the city if the property owner petitioned to the city requesting to be annexed.

A motion was made by J. Barlow and second by P. McKenzie instructing the city attorney to draft a letter to Bill Chambers, Mokan Concrete Co., requesting the annexation. All Aye. Motion Carried. (5-0)

(Councilman Novak left meeting at 7:50 PM)

SUSAN GUY (Council Procedure) - Questioned the Council's actions on passing the Nuisance Ordinance on an emergency basis and not allowing for a second reading. She felt this ordinance above all should have been viewed by the public before passage and warranted more discussion in the January meeting by the board.

Attorney Thompson stated the board acted in their realm of authority and had every legal right to pass on the first reading. He stated the ordinance had been discussed for several months and recommended by the League of Kansas Municipalities.

CHARLES EDMONDS, USD #458, was present to respond to the letter that was sent to him regarding the water drainage problems on Klamm Street. Mr. Edmonds feels the majority of the problems have been eliminated due to the inlet box and grate installed for their new parking lot and brush has been removed. He stated that he is open to suggestions regarding the collection of water on Klamm Street. However, he does not feel the elementary schools sump pipe has anything to do with the water into anyone's backyard.

Mayor Landauer will contact the city engineer to have him review the new changes and let Mr. Edmonds know if there are any further steps to be taken by the school district.

DOUGLAS CABLE COMPANY

Due to the inclimate weather, Douglas Cable requested by phone they be deferred to the March meeting or set up a study session in February.

A motion was made by J. Barlow and second by D. Hubbel to reschedule Douglas Cable for the March meeting. All Aye. Motion Carried. (5-0)

KANSAS HIGHWAY PROGRAM

Councilman McKenzie gave a synopsis of the meeting he attended in Topeka regarding the proposed highway bill. He explained the fuel tax will increase by 7% which will generate over a period of eleven years an estimated $350-$500 million dollars. The funds generated will be put toward bridge replacement and repair, street reconstruction, resurfacing and widing of shoulders.

PLANNING COMMISSION

HAYES CONSTRUCTION - The Board tabled the matter of the Hayes Subdivision to the March meeting.

HICKORY STREET EXTENTION - Roger Brandt stated the majority of the Board still feels the Hickory street should be opened up by the City before Hayes Subdivision is approved. Brandt at this point feels if the Board does not get their way they will continue to deny the subdivision. Brandt asked that the Council over-ride the Planning Commissions recommendations and approve the plat as submitted.

McKenzie stated he felt the City should start proceedings to condemn Mrs. Keithley's property to allow for the road. Richard Hayes and the remainder of the Council disagreed. Legal counsel advised that condemnation proceedings could take from sixty days to one year.

Grube stated as far as he was concerned the 30' easement already allocated by Mr. Hayes was ample and the additional 30' would come off the other property owner at the time of development. The Council unanimously agreed that at this time it was not necessary for Hickory Street to be extended to the city limits but should be extended from 156th Street to 156th Terrace. Council also did not feel the city financially could handle the new street costs.

(Novak returned from Water Board meeting at 8:50 P.M.)

After an hour long discussion a motion was made by D. Hubbel and second by P. McKenzie to send a letter to the Planning Commission recommending they approve the plat with the addition that the developer make a committment in writting granting a 60' easement across the west side of the property from the north boundary to the south boundary line. McKenzie, Grube, Hubbel, and Barlow - Aye. Novak - Nay.

SPECIAL USE PERMIT - Board requested the Council accept their motion to deny a special use permit to Ray Breuer for a cement plant on the basis that the interested parties were not represented at the meeting.

D. Hubbel moved to approved the recommendation of the Planning Commission and deny the special use permit for a batch plant. M. Grube second the motion. All Aye. Motion Carried. (5-0)

WASTEWATER TREATMENT OPERATOR

SEWER LAGOON BID - Operator, Bill Mogle, submitted for Council approval the bid specifications on mowing of the lagoons for the next three years. Council felt Item #8 should be eliminated from the proposal and a key should be given to the contractor.

A motion was made by D. Hubbel and second by P. McKenzie to approve the lagoon mowing bid specifications excluding item #8. All Aye. Motion Carried. (5-0)

COLLECTION SEMINAR - Operator Mogle requested Council approval to attend a three day seminar in Kansas City, Kansas concerning collection systems and certification. The cost will be $60 plus $10 for the certification examination.

P. McKenzie moved to send Mogle to the three day seminar. J. Barlow second the motion. All Aye. Motion Carried. (5-0)

CITY CLERK

STAMPED ENVELOPES - Clerk requested Council approval to order 1000 stamped envelopes in the amount of $273.80.

J. Novak moved to approve the expenditure of $273.80 for stamped envelopes. P. McKenzie second the motion. All Aye. Motion Carried. (5-0)

CODIFICATION - Clerk again requested the Council approve the codification of the city ordinances. The codification will be performed by the League of Kansas Municipalities and cost $3,500.00 which can be made in two payments.

A motion was made by M. Grube and second by D. Hubbel to approve the codifying of the city ordinances and make the necessary payments. All Aye. Motion Carried. (5-0)

CHIEF OF POLICE

Not present due to illness

CITY ATTORNEY

INSURANCE BIDS - Thompson reported he has received four bids for city insurance coverage, and reminded the board they are not obligated to accept the lowest bid.

Charlton-Manley - City Package w/ Police & Official Liability was quoted at $24,413.00.

Farm Bureau Ins. - City Package w/ Police & Official Liability was quoted at 11,877.00.

Commercial Underwriters - City Package - $8,055.00. This bid was not recommended by legal councel due to the lack of written information provided by agent.

Evans Insurance - City Package and Police Professional Liability was bid at 6,622.60.

(All bids have been incorporated by reference with the original Minutes).

D. Hubbel asked legal councel if it was appropriate to take in considertion the past company refusal to provide insurance coverage regarding the previous lawsuit. Attorney Thompson felt that it is a big factor in this years decision.

A Motion was made by P. McKenzie and second by J. Novak to accept the bid from Farm Bureau for $8,559.00.

Motion was open for discussion. The Council majority felt the city should also purchase the City Official Liability Insurance.

Novak recended his motion to second, therefore, allowing the previous motion to die at the table.

Thompson asked to go on record that as their city attorney recommends the City of Basehor purchase both city official and police professional liability insurance.

J. Novak moved to accept Farm Bureau Insurance bid in the amount of $11,877.00. J. Barlow second the motion. Grube, Hubbel, Barlow and Novak - Aye. McKenzie - Nay.

RESOLUTION FOR PUBLIC HEARING - Thompson requested the Council set up a date to hold a public hearing regarding the new sewer benefit district along with passing Resolution 89-1 allowing the Council to hold such a meeting.

Motion was made by P. McKenzie and second by D. Hubbel to approve Resolution 89-1 and hold the public hearing on March 20, 1989, 7:30 p.m, at the Basehor-Linwood High School.

RESOLUTION 89-1 - RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE ADVISABILITY OF AN IMPROVEMENT.

DEIS vs CITY OF BASEHOR - Thompson advised Council that the motion for dismissal in the Deis vs City of Basehor has been appealed. He hopes to have an analysis for Council before the March meeting.

Thompson at this time was excused from the meeting due to medical reasons.

MAYOR'S REPORT

POLICE DEPT. RULES - A new list of rules and regulations for the police department was presented for Council approval.

Barlow felt item 10 & 11 should be changed to read "or Council President in the absence of the Mayor".

A motion was made by J. Barlow and second by D. Hubbel to approve the new Police Dept. rules and regulations with the word changes in item #10 & #11. All Aye. Motion Carried. (5-0)

(Original Police Dept. Regulations Incorporated by Reference with the original February Minutes).

ROCK PURCHASE - Mayor asked Councils permission to order rock from Martin Marietta when she receives the necessary information from the County Public Works Dept. She stated the county will only use washed rock and that can only be ordered from Martin Marietta in Leavenworth.

A motion was made by D. Hubbel and second by J. Novak to allow Mayor Landauer permission to order the necessary rock as requested. All Aye. Motion Carried. (5-0)

BASEHOR ECONOMIC DEVELOPMENT - Mayor asked if there were any Council members who wished to sit on the board of the new Basehor Economic Development Committee. John Novak and Pete McKenzie agreed to represent the City Council.

STREET SIGNS - Mayor requested the expenditure of 312.95 for replacement and repair of street signs per list.

J. Barlow and J. Novak moved to approve the expenditure of 312.95 per submitted list. All Aye. Motion Carried. (5-0)

PARK ACQUISITION - Council was given a list submitted by the park committee of recommended park sites. City has received a refusal to sell from one property owner at this time.

NOVAK NOVAK

MARK GRUBE

JERRY BARLOW

DANIEL HUBBEL

PETE MCKENZIE

Urges citizens and Council to contact their state representatives and congressman concerning the new highway program.

ADJOURNMENT

There being no further business, J. Novak and J. Barlow moved to adjourn the meeting. All Aye. Motion Carried. (5-0) Meeting was adjourned at 10:30 p.m.

Submitted for approval (with, without) corrections on this 6th day of March, 1989.

Mary A. Mogle, City Clerk

MEMORANDUM

TO: Lloyd Beth
Chief of Police

Please be advised of the new regulations you and your police department will hereby follow in the future.

1. A monthly work schedule will be given to Mayor at the beginning of each month. The schedule will show days and hours each officer is to be on duty.

2. A breakdown of officers hours and hourly wage will be given when payroll is turned in on the last Monday of the month unless otherwise stipulated by Mayor or clerk.

3. No salaried or paid officer will ride in the same vehicle unless they are conducting police training classes.

4. Chief of Police, Deputy Chief of Police, or Sargent may not be on vacation or out of town simultaneously.

5. Mayor must be notified of vacation schedule at least two weeks prior to vacation time.

6. Chief of Police will schedule police training classes to commence immediately.

7. All applicants will be interviewed by Mayor and Council prior to being accepted for training or as a paid or reserve officer.

8. All salaried, paid, and reserve officers are required to call into the dispatcher when they arrive in town for duty.

9. All prospective police officers (paid/reserve) shall be required to submit to a complete background check prior to being hired. They will be required to sign a form authorizing the City of Basehor to perform said background check and it shall be completed to the satisfaction of the City Council and Mayor of the City of Basehor. This form and results of the investigation shall become a part of the police officers permanent record and will be presented at the interview with the Mayor and Council.

10. The Chief of Police will immediately notify Mayor or Council President, in the absence of the Mayor, of any shift change.

11. The Chief of Police will notify Mayor or Council President, in the absence of the Mayor, of any undercover investigation in progress.

12. The Chief of Police will submit to Mayor at the end of each month a record of mileage and maintenance performed on each police vehicle.

The Chief of Police shall immediately enforce these regulations upon receipt.

This is the order of the Basehor Mayor and City Council.

CITY OF BASEHOR

Mayor Anna M. Landauer

Mayor Anna Mary Landauer

John Novak

John Novak, President

Mark Grube

Mark Grube

Daniel L. Hubbel

Daniel Hubbel

Jerry B. Barlow

Jerry Barlow

James P. McKenzie

James "Pete" McKenzie

February 6, 1989

Date

AML/mam

cc: Lloyd Beth, COP
Council & Mayor
File

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