

SCANNED

3/12/07 *OK*

CITY OF BASEHOR

LEAVENWORTH COUNTY

BASEHOR, KANSAS 66007

unapproved 8-5-80 S.U.M.

PUBLIC HEARING JULY 1, 1980

Public hearing on delinquent sewer and solid waste bills
7 p.m. in study hall at Basehor High School

The hearing was brought to order by Mayor Allen Goens. The only complaintant at the meeting was Mr. Lyle Wiley. Mr. Wiley asked the council if part of the solid waste bill could be taken off as his trash was not picked up since the first of the year. He said it had also been missed several times last summer and he had been burning his trash. The council asked him if he had purchased a private haulers permit. He said he had signed up for one that day. After some discussion the council told him he would be responsible for the entire solid waste bill and the delinquent sewer charges. M. Sterner moved to put the delinquent sewer and solid waste bills on the tax rolls for collection. Second by M. Meyer. 3 yes. Motion carried.

The public hearing was adjourned at 7:20 p.m.

BASEHOR CITY COUNCIL MEETING

July 1, 1980

Basehor High School Study Hall

The meeting was called to order at 7:35 p.m.

COUNCIL PRESENT: Anna Mary Landauer, Garry Eberth, Milton Meyer, Jim Cook, Margaret Sterner.

PRESIDING: Mayor Allen Goens

OTHERS PRESENT: Douglas Waters, city attorney; Jane Scherer, city treasurer; Leo Martell, city engineer; Carol Sindelar, Leo's assistant; Earl Reavis, police chief; Jack Gatewood, city employee; Sherrie Magaha, city clerk; citizens of the community.

MINUTES

M. Meyer moved to approve the minutes of the last meeting as written. Second by M. Sterner. 5 yes. Motion carried.

TREASURER'S REPORT

Following several questions on various bills to be paid, A. M. Landauer moved to re-invest CD #3172 for six months at First State Bank. Second by M. Sterner. 5 yes. Motion carried. M. Sterner moved to accept the treasurer's report. Second by A. M. Landauer. 5 yes. Motion carried. *(appropriation ordinance #156) S.U.M.*

PETITIONS AND REQUESTS

MR. AMBROSE JENNINGS ON PROPERTY TRADE

Mr. Jennings asked if the council knew the status of the property trade between the city and the township. Mayor Goens said he would bring this matter up during the city attorney's report.

MR. CLINTON ELKINS ON TRASH HAULING

Mr. Elkins asked what type of receipt is needed to prove trash dumping and also what regulations did the city have on private trash hauling. He gave copies of a letter he had written to the state and the state's reply, to each council member and the mayor. He then pointed out that the state said there are no regulations required by EPA but that the city's permit said the citizen must abide by EPA standards. The council pointed out that although the EPA may not have certain regulations they have put the pressure on the state to make certain regulations and the state, in turn, requires the same of the city. Mr. Elkins asked why the city needed proof of dumping and if a signed affidavit wouldn't be sufficient rather than a dumping receipt. J. Cook said that the state requires proof from time to time of the city's compliance with their regulations therefore the city needed this for their proof. There was a great deal of discussion on the matter. Mayor Goens ended the discussion by saying the city's present system of requiring a proof of dumping would remain as it is.

PETITION ON REMOVAL OF INTANGIBLES TAX

Mr. Waters told the council a petition had been filed with the city clerk asking for the removal of the intangibles tax (a tax on savings accounts, etc.). Mr. Waters said he had prepared an ordinance pertaining to the removal of the tax and that it

provided for a protest if such was filed by 5 percent of the qualified electors. He said since the state law does not take effect until 1981, the city ordinance would not be effective until then. J. Cook moved to accept the ordinance on the first reading with it being effective as of January 1, 1981. Second by M. Sterner. 5 yes. Motion carried.

VAN MOORE REQUEST ON NON-RENEWAL OF HOFFMAN TRAILER PERMIT

Mayor Goens read a letter from Mr. and Mrs. Van Moore asking that the trailer permit for a trailer on the James Hoffman property, 150th Street, not be renewed. Mr. Hoffman was in attendance and said his mother is still in poor health and had just gotten out of the hospital. He said the trailer was well kept and invited anyone to come and see for themselves. Since the permit is not up for renewal until later this year, Mayor Goens asked the city clerk to file the letter of complaint with the permit until that time.

DOUGLAS WATERS/CITY ATTORNEY
REPORT ON PROPERTY TRADE

Mr. Waters said he had council's permission to obtain quiet title action as only part of the abstract was available. He said quiet title action could be avoided if title insurance was obtained. He said he had not yet heard from the title insurance firm on how to proceed but expected something within seven days. Mr. Jennings asked if the matter could be expedited. Mayor Goens said if they heard something very soon a special meeting could be called but if the information was received close to the next regular meeting date it would be taken care of at that meeting. Mr. Waters was directed to inform the city clerk as soon as he obtained his information.

LEO MARTELL/CITY ENGINEER
LETTERS TO DEGRAW AND WALKER

Mr. Martell told the council he had written to Mr. DeGraw about the need for a culvert tube and to Mr. Walker regarding the sewer hook-up on his property.

INFORMATION ON BOUNDARY OF CITY

Mr. Martell said he had been accumulating information on the city boundaries and may have some questions on this at the next meeting.

LOCKING DEVICES FOR MANHOLES

Mr. Martell said he had some information on locking devices for the manholes. He said the best device was a bar/hinge lock and that a Kansas City firm---Neenah Foundary, had them for sale at \$32.00 each plus frieght. Mayor Goens said he had talked to Neu Plumbing and they had said it would cost approximately \$60.00 per manhole for locking them but had not given any prices to the clerk as yet. A. M. Landauer suggested Mayor Goens talk to Lawrence Meyer about making the devices. The mayor said he would like to have a decision on locking the manholes by the next meeting.

TESTS ON WOLF CREEK

Mr. Martell said he had sent a letter to Mayor Goens regarding the testing of Wolf Creek for possible pollution from Meyer Dairy. He said the tests proved that there was no pollution and after talking with Mr. Tomlin learned that the dairy no longer dumps into the creek but irrigates with the water from their lagoons. He said Mr. Tomlin related the dairy still has an odor problem and have tried everything possible to eliminate it and if anyone could come up with a solution it would be welcomed.

MRS. SINDELAR ON LETTER FROM STATE HEALTH DEPARTMENT

Mrs. Carol Sindelar reported that a letter to the city from the state informed the city that they and the other cities in Leavenworth County as wastewater management centers. She said the state wishes a meeting with representatives of each city and asked if the council wished their firm to represent them. The council said they did. A. M. Landauer said she felt the council should also be represented at the meeting. The council designated Mrs. Landauer as their representative and she is to call the state to set up a time for the meeting.

EARL REAVIS/POLICE CHIEF

LENAHAN RESIGNATION

Mr. Reavis read a letter of resignation from John "Chip" Lenahan saying he had taken a job in Iowa and had to leave the force as of July 5, 1980 but would like to return to it if he came back to this area. The council expressed their sorrow at his leaving and expressed their thanks for a job well done and best wishes for

his future. The clerk was directed to write a letter expressing this to Mr. Lenahan. J. Cook moved to accept Mr. Lenahan's resignation. Second by G. Eberth. 5 yes. Motion carried.

NEW OFFICER HIRED

Mr. Reavis said that Brian Smith has been trained and is ready to be commissioned as a police reserve officer. J. Cook moved to commission Brian Smith as a reserve officer. Second by M. Meyer. 5 yes. Motion carried.

LOTS NEEDING TO BE MOWED

Mr. Reavis said he had had complaints on a lot needing to be mowed but was told by Mayor Goens that the lot in question had been mowed the past week. The mayor said a lot at 153rd and Circle Drive also needed to be mowed. He asked if anyone knew of other lots needing mowed. Mr. Jennings said Mr. Breuer's lot behind the post office needed mowing. There was also a complaint on the lot owned by Downes Day Care Center. A. M. Landauer moved to have the city clerk notify these citizens to mow their lots. Second by M. Sterner. 5 yes. Motion carried.

J. Cook said the lot at city office also needed mowing and at this time, Mayor Goens suggested the city purchase a hand mower as J. Gatewood was bringing his own mower to use. Mr. Mussett interjected that if the city would do something about the well on the Lovvorn property (city office) he would mow that lot when he did his next door. G. Eberth moved to purchase a push mower not to exceed \$100.00 and to have Mr. Gatewood make the purchase. Second by A.M. Landauer. 5 yes. Motion carried.

MIKE WILLCOTT/MUNICIPAL JUDGE

The court report for June was \$324.00, mostly speeding violations.

CAROLEE GABEL/ANIMAL CONTROL OFFICER

LETTER ON EMERGENCY BOARDING OF PUP AT STERNER'S

Mayor Goens read a letter from Mrs. Gabel concerning the necessity of boarding a puppy at M. Sterner's. Mrs. Sterner reported the pup had been adopted and the new owner had reimbursed her for the boarding fee. The council said there was no problem so far as they were concerned with Mrs. Sterner boarding a dog when the veterinarian was unavailable as long as she didn't mind doing so. Mrs. Sterner said she didn't mind in emergency cases.

MAYOR'S REPORT

GRADER RADIATOR NEEDS REPAIR

Mayor Goens reported the radiator in the motor grader needed repair. He said he might be able to fix it or it may need to be sent out for repair. A. M. Landauer moved to have the radiator repaired on the motor grader. Second by M. Sterner. 5 yes. Motion carried.

CALL FROM SCOUTS

The mayor said he had a call from the boy scouts offering their services to the city. He said he told them any help they could give would be welcomed. He also reported that Butch Reavis had gotten another job and another boy was needed to replace him doing odd jobs. The clerk said she had had a call from someone interested in work and the mayor said he would get the information from her.

NOTICE AND COMMUNICATION

MOTOR VEHICLE TAX ESTIMATE

Mayor Goens read and then passed around a letter estimating the city's share of 1981 motor vehicle tax.

REVENUE SHARING HEARING

Mayor Goens read the revenue sharing hearing public notice to the council for their approval. Since the hearing is just a formality the council asked that the date be changed from July 22, 1980 at 7:15 p.m., city office, to 7:15 p.m., Aug. 5, 1980 at the Basehor High School study hall. The budget hearing was scheduled for 7 p.m. the same date.

FINANCE AND ADMINISTRATION

COST ESTIMATE ON CITY BUILDING

The mayor asked J. Cook if he had any information on the city building. Mr. Cook said Mr. Mussett had given him some information just prior to the meeting and he wanted to check into it further. He said he had had estimates on a 60' by 40' metal building ranging from \$6,400.00 to \$20,000.00. Mayor Goens told Mr. Cook about Mr. Edward Powers meeting held prior to the council meeting. He related that Mr. Powers said funds would be available for the basement portion of the building as of October 1, 1980. The state, according to Powers, would pay 50 percent of the cost

of the basement area floor and walls and 50 percent of the electric, plumbing, etc. He said the state would need specifications of the basement area before funding would be considered. Powers said the area would be used as a coordinating center for emergency personell during a disaster but could be used daily as an office for the clerk as long as the police or fire chief had offices there. Mayor Goens asked the council to consider specifications as soon as possible in order to get them to Mr. Powers and the state.

SEWER AND SOLID WASTE

CITIZENS LOOKING INTO MANHOLES

M. Sterner asked if anyone is allowed to open sewer manholes. Mayor Goens said as far as he knew they could. Mrs. Sterner asked if a citizen was hurt while lifting or looking into a manhole would the city be liable. Mayor Goens asked Mr. Waters opinion and he said if a person opened a manhole without authorization and was hurt in the process the city would not be liable but if a person had authorization than the city could be held liable.

DISCUSSION OF MANHOLES

There was some discussion regarding manholes being ripped open by grading vehicles due to them being to high out of the ground. Some of these manholes are in need of repair and the clerk was directed to call Max Hunt and Mike Bilyk to get bids on their repair. J. Gatewood is to compile a list of those manholes needing repair.

ADJOURNMENT

M. Meyer moved to adjourn the meeting. Second by A. M. Landauer. 5 yes. Motion carried.

Sharon V. Magaha
city clerk