

CITY OF BASEHOR

LEAVENWORTH COUNTY

BASEHOR, KANSAS 66007

unapproved

3-18-70*

9-2-80
S.U.M.

BASEHOR CITY COUNCIL MEETING

AUGUST 5, 1980

BASEHOR HIGH SCHOOL STUDY HALL

The meeting was called to order at 7:30 p.m.

COUNCIL PRESENT: Anna Mary Landauer, Milton Meyer, Margaret Sterner, Gary Eberth.

PRESIDING: Mayor Allen Goens

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

MINUTES

M. Meyer moved to approve the minutes as written. Second by M. Sterner. 4 yes. Motion carried.

TREASURER'S REPORT

Mayor Goens reported that the city treasurer asked that the certificate of deposit coming due not be renewed since it will be needed. M. Sterner moved to put the CD coming due into the savings account. Second by A. M. Landauer. 4 yes. Motion carried.

J. Cook entered the meeting at 7:45 p.m.

M. Sterner moved to approve appropriation ordinance #1577 (treasurer's report). Second by A. M. Landauer. 5 yes. Motion carried.

At this time, J. Cook asked for a correction to the minutes concerning the representative to the wastewater management meeting to be held in Leavenworth. He said he understood the representative of the council would be Mrs. Landauer rather than Martell and Associates not both as the minutes reported. The clerk was asked to check the tape of the last meeting to clarify.

PETITIONS AND REQUESTSMR. CHARLES PETERSON--CONCERN FOR YOUNG PEOPLE

Mr. Peterson told the council he was concerned for the young people in that they have no place to congregate. He said that he would hate to see a similar situation here as happened to several Bonner youths recently. Mr. Peterson claimed there has been possible harrasment by some Basehor police officers and it could end up in lawsuits against the city. He said the youth are not allowed to park in any of the public areas. M. Sterner called attention to past events when the youth were allowed to park at the shopping center, school, etc., and abused the privilege. She asked how long would it take for the kids to prove that they could behave if the privileges were allowed again. J. Cook said he would be willing to allow an area for the kids but could not allow drinking as there are laws against it. He suggested the area next to the fire station which would need township approval as well as city approval. Mr. Peterson said he would talk to the township board about this. There was over an hour of discussion during which time several young men voiced their opinions as well as the chief of police and several parents. The problems between the police and the young people were aired with the final decision being that the police would be a bit more flexible providing the young people stayed within the boundary of the law.

MR. AL SCRUBAS--PETITION FOR DE-ANNEXATION OF 142nd STREET

Mr. Scrubas presented a petition signed by residents of 142nd Street requesting de-annexation from the city. He said the three reasons for the request were: the people had had no say when their property was annexed; the street is not properly maintained; and, there are no utilities provided by the city. Mayor Goens answered these reasons by replying: the area was annexed when Basehor was threatened with annexation by Kansas City, Ks., or possibly Bonner; 142nd Street has been plowed every winter as soon as it could be and that the street has been worked on twice while more heavily traveled have not been repaired at all; the city has only one utility, being sewers and at this time they cannot provide them to 142nd Street residents. J. Cook intervned saying that the real reason for the request, which was told to him by Mrs. Scrubas, was the need for water. Mr. Cook said that Ray Breuer was working with Bonner to provide water for county residents in that area and if 142nd Street residents were de-annexed

they could possibly be part of the system.

Mr. Waters said he would have to check on the various legalities of the de-annexation since the County Commissioners would also have to approve it. The petition was accepted at that time until Mr. Waters could check the legal aspects.

MRS. PAT YOUNG--MANHOLE IN DRIVEWAY

Mrs. Young told the council that a sewer manhole was in the middle of their driveway and that it had caused damage to their car. She asked what could be done about the problem. Mayor Goens explained that the manhole was installed with the sewer system and that the builder had put the driveway over the manhole. He said he would have Jack Gatewood put rock around it periodically to make sure it does not interfere with their vehicles.

STEEL BUILDING BIDS

J. Cook asked that the council recognize Jeff Hawkins of Hawkeye Steel Inc., a salesman for Butler Steel Buildings. Mr. Cook said he had had several bids on 40" X 60" buildings and although there was one less expensive, Mr. Hawkins bid included a much sturdier building. The complete cost of the building and erection totaled \$13,382.00. J. Cook said he had talked to a concrete company in Bonner Springs and they estimated approximately \$10,000.00 for the basement area and walls, half of which may be paid by the emergency preparedness state funds. Mr. Cook said the council could figure a total of \$20,000.00 to \$22,000.00 for the completed building and foundation.

Mayor Goens said the council must consider the fact that the property trade with the township was not complete. Mr. Waters reported that the title insurance firm had been contacted numerous times and that the representative of the firm kept putting off any final action. The council told Mr. Waters to give the firm five days and if no action was taken in that time to take the property trade title insurance to another firm.

Mr. Hawkins said the council would have three weeks prior to the shipment of the building if they wanted to okay the bid that evening. He said if they wanted to okay the bid the discounted prices in effect at that time could be locked in and could not be changed if prices went up. The council studied the bid and decided on a heavier roof structure as a safety factor (live load) than what is required for public buildings. They also decided on green and white since this is the school colors. J. Cook moved to purchase from Hawkeye Steel one green and white, 40' X 60" steel building at the cost cited in the bid, including a 30 pound live load, contingent on a poll of the council prior to shipment of the building. Second by M. Sterner. 5 yes. Motion carried.

PLANNING COMMISSION RE-APPOINTMENTS

Mayor Goens said planning commission members Roger Brandt, John Novak and Robert Van Cleave were due for re-appointment. He said he talked to all three and they were willing to do the job if the council wished to re-appoint them. M. Sterner moved to accept the appointment of Robert Van Cleave, John Novak and Roger Brandt to the planning commission. Second by Garry Eberth. 5 yes. Motion carried.

LETTER FROM GLEN HUBBEL ON BANNING BOTTLE ROCKETS

Mayor Goens read a letter from Mr. Hubbel asking the city to ban bottle rockets. Mayor Goens said he would also like to see the use of them abolished. A. M. Landauer moved to ban the use of bottle rockets within the city limits. Second by J. Cook. 5 yes. Motion carried. Mr. Waters said he would prepare an ordinance to that affect.

SENIOR CITIZENS REQUEST FOR LETTER

Mayor Goens read a letter from the planning commission approving the zoning for the senior citizen housing project which will be located behind the lumberyard in downtown Basehor. The council was told that A. K. Mussett will give the right-of-way for the access drive and there will be no road for the city to maintain. J. Cook moved to approve a letter to be sent to the senior citizens group approving the building project zoning and for the clerk to compose and send same. Second by A. M. Landauer. 5 yes. Motion carried.

REPORTS OF CITY OFFICIALS

DOUGLAS WATERS/CITY ATTORNEY

Mr. Waters explained the situation on the property trade to Mr. Jennings and apologized for the delay. Mr. Jennings asked if the money could be released but was told it could not until the trade was complete.

NUISANCE ORDINANCE COVERS COWS RUNNING LOOSE

Mr. Waters reported that following an incident in the city of cows running loose, he had checked the ordinances and found that Ordinance #104 covers such a complaint.

LOITERING ORDINANCE

Mr. Waters gave the council members copies of an amended ordinance concerning loitering. He said the city's prior ordinance was outdated and considered un-constitutional.

He said the amended version was more specific. J. Cook suggested the council study the new ordinance for a month. There was no action taken.

ORDINANCE ON OPEN CONTAINERS

Mr. Waters introduced an ordinance concerning open containers of alcoholic beverages. There was no council action on the matter.

TRASH NUISANCE

Following a citizen complaint of a household retaining trash for a month and then disposing of it, Mr. Waters checked the city ordinances and found the situation was covered in Ordinance #128. He said a complaint letter should be written by the police chief to the city clerk. The clerk would then notify, by mail, the household in non-compliance. If they did not respond the city has the authority to remove the trash and charge the household for removal and disposal.

SECOND READING OF ORDINANCE REMOVING INTANGIBLES TAX

J. Cook moved to waive the second reading and adopt the ordinance for the removal of the intangibles tax. Second by M. Sterner. 5 yes. Motion carried.

LEO MARTELL/CITY ENGINEER

SCHWARTZ REQUEST FOR LOT SPLIT

Mr. and Mrs. Daniel Schwartz appeared before the council to ask if it was possible to split a five acre lot in half next to their home. The property in question was split by court divorce action and there was a question if it could be split again. Also the Schwartz home and lot would constitute another split. The engineer and attorney conferred on the matter and reviewed the ordinance concerning lot splits. It was decided to have the Schwartzs apply for the lot split and have the planning commission study it before a council decision was given.

LANDAUER STREET PROBLEM

Mayor Goens asked Mr. Martell to check Landauer Street that evening since it was raining and there is still a drainage problem on the street.

MIKE WILLCOTT/MUNICIPAL JUDGE

The court fines for July totaled \$643.00, mostly speeding violations.

MAYOR'S REPORT

HOUSE NUMBERS NOT POSTED

Mayor Goens reported that during a fire call recently, he was unable to find the location since homes in the area were not posted with house numbers. He asked how the city could enforce this. The police and Jack Gatewood were asked that during patrol time to check and see if houses have numbers posted and if not to ask the occupants to please do so.

TRASH ON RANKIN PROPERTY

Mayor Goens said there was still trash and debris on the Rankin property on Leavenworth Road. The clerk told him a letter had been sent to Mr. Rankin advising him to clean up the property within 10 days. The mayor suggested another letter be sent in 10 days if Mr. Rankin did not comply with the first letter.

BIDS ON MANHOLE REPAIR

The mayor read two bids for manhole repairs. Mr. Mike Bilyk's bid to repair and lower manholes was \$620.00. Mr. Max Hunt's bid was \$40.00 plus he included a yearly maintenance fee of \$160.00 if the city was interested. J. Cook moved to accept Mr. Hunt's bid and the maintenance contract for one year. Second by G. Eberth. 5 yes. Motion carried.

LOCKS FOR MANHOLE COVERS

A. M. Landauer said Mr. Lawrence Meyer had given a bid of \$47.00 for a bar/hinge locking device for each manhole cover. The cost does not include the lock. A. M. Landauer moved to have Lawrence Meyer make and install the locking devices at \$47.00 each. Second by M. Sterner. 5 yes. Motion carried.

NOTICE AND COMMUNICATION

PRISONER CHARGE AT COUNTY JAIL

The mayor read a letter from Leavenworth County informing the city that there would be a charge of \$5.00 for six hours or less and \$9.00 for over six hours for holding a prisoner in the county jail.

CITY/TOWNSHIP FIRE TRUCK AGREEMENT RECINDED

Mayor Goens read a letter from the township fire department asking that the agreement to leave the old pumper in the city at all times be terminated. It explained that the old truck was needed for grass fires but that a firetruck would be at the station at all times for the city's protection. J. Cook moved to release Fairmount Township Fire Department

9-2-80
SDM

from the contractual agreement concerning the old fire truck. Second by G. Eberth. 5 yes. Motion carried.

STREETS AND EQUIPMENT

WEEDEATER PURCHASE SUGGESTED

A. M. Landauer suggested the city purchase a weed eater rather than a lawnmower. Mayor Goens said the city still needed a lawnmower. Mr. Ambrose Jennings said he had a lawnmower the city could have. The council agreed to take the lawnmower and thanked Mr. Jennings. There was no further action on the weedeater.

SPEED SIGNS PURCHASED

The clerk informed the council that J. Gatewood said the city needed eight 30 mph speed signs. J. Cook moved to purchase eight 30 mph speed signs. Second by M. Meyer. 5 yes. Motion carried.

CROSSWALKS NEED PAINTING

The clerk informed the council that the county agreed to paint the crosswalks on 155th Street and would cut the brush on 155th from the post office to the high school. It was suggested that the clerk call the county to see if they had paint available for the remaining crosswalks so J. Gatewood could paint them prior to the opening of school.

ADJOURNMENT

G. Eberth moved to adjourn the meeting. Second by M. Sterner. 5 yes. Motion carried.

Sharon V. Magaha
city clerk