

# CITY OF BASEHOR

LEAVENWORTH COUNTY  
BASEHOR, KANSAS 66007

unapproved

5-1-79 WRR

Regular City Council Meeting April 3, 1979  
7:30 p.m. at the Basehor City Offices

Council Present: Anna Mary Landauer, John Ebert, Jim Cook, Allen Goens.  
Presiding: Mayor Clarence I. Worley.  
Others Present: City Attorney Douglas Waters, City Treasurer Jane Scherer,  
City Engineer Leo Martell, Chief of Police Earl Reavis,  
City Clerk Wilma Kibler, Citizens of the community.

## MINUTES:

The minutes of the regular council meeting, March 6, 1979 were approved as printed.

## TREASURERS REPORT:

The Council discussed several of the bills before A. Goens moved, second by A. Landauer to reinvest c.d. #2617 due 4-17-79 at the place that the rate of interest is the highest for 90 days. Four yes-opposed none. Motion carried.

A. Goens moved, second by J. Cook to accept the treasurer's report and adopt appropriation ordinance #142. Four yes-opposed none. Motion carried

## PRESENTATION OF PETITION & REQUESTS (CITIZENS):

### DISCUSSION OF DAY-CARE CENTER

Since Mrs. Downes had not arrived at the meeting Bill Hooker explained that Downes Day-Care Center owned by Mary Downes and her husband had proposed to buy the First Baptist Church property and convert it into a day-care center. Since this did not come under Neighborhood Business zoning Mr. Hooker felt she would be asking the Council for permission to start the day-care center. The center would have to meet the state regulations before they could operate. At the present time Mrs. Downes would be able to handle 24 children without any modification to the church. After much discussion it was decided Mrs. Downes would need a special use permit and it should go before the Planning Commission for a public hearing. The City Attorney stated the special use permit needs a public hearing but the City could use the present Council meeting as a public hearing if they so desired. Waters stated normally the neighborhood people are notified that this is going to be a request and will come up at the next hearing and is normally heard at the next meeting after the petition has been accepted. He stated the ordinance provides that there be a recommendation by the City Planning Commission in addition. The Attorney's recommendation would be that the petition be accepted for submission to the City Planning Commission and the formal hearing either at the next regular meeting in May or at a special meeting that the City may want to have later this month. Mr. Hooker stated, when asked how long in the further did the day-care center want to open, that in the present contract there is a stipulation that states getting a favorable approval at the April 3<sup>rd</sup> meeting. He didn't feel they would lose them but if it was going to be a long drawn out thing they may get discouraged. The Council discussed the possibility of having a resolution written stating their support and agreement with the idea, pending on the licensing and review in a public hearing. J. Cook moved, second by A. Goens to make a resolution of City Council support for the idea of a special use permit pending proper public hearing and perusal by said Planning Commission. Four yes-opposed none. Motion carried. It was then suggested with the Council's agreement that the City Clerk poll the Planning Commission to get an agreement on holding of the public hearing. This would be one polling and then one special meeting.

SCANNED

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5-1-79 WORK

within 20 days of as soon as it could get into the newspaper. It was brought to the Council's attention that Mrs. Downes would need to make an application for the special use permit and pay a fee of \$35.00 to cover the publication and the public hearing. As soon as the Clerk received the fee she was to poll the Planning Commission just for a vote on the public hearing and then get it published in the newspaper.

PLANNING BOARD MEMBERS SERVING ON WATER BOARD DISCUSSED

The Mayor stated he had been asked if he felt it was a conflict of interest on the part of the two people that are on the Planning Commission and the Water Board. The only answer he had at the time was he couldn't see a conflict of interest. He could see a conflict all right but not a conflict of interest at least not as he knows it. So he was asking the Council the same question and wanted to know what they thought of having two Planning Board members on the Water Board. He wanted to know if the Council felt this caused any problem, or if the two should be on the board or should they be removed. J. Ebert stated he saw no problem there, A. Landauer stated she had no objection to it either, and A. Goens stated he felt it was an asset to the Planning Board. Cook stated he realized that most conflict of interest is usually some financial or monetary gain but he felt the most dangerous conflict of interest that the City could deal with is an ethical question. The Council discussed whether the subject of water should be brought up at the Planning Commission meetings while they are serving on the Planning Commission. J. Cook moved to remove Planning Commission members Newman and Hubbel for reason of bilateral membership on the Water Board and the City Planning Commission. There was not a second to the motion. When Cook was asked if he wished to withdraw the motion or let it die. Cook stated he would let it stand.

SEMINAR FOR SMALL CITIES

The Mayor read a paragraph of a letter from the American Association of Small Cities. It stated there would be a seminar April 19, 1979 at the Fair Building Auditorium, Fifth and Dakota Streets, Holton, Kansas. The purpose of the seminar was to exchange ideas and vital information with Congressman Jeffries and representatives of the federal government. The Mayor stated if anyone was interested they could check the agenda.

REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/CITY ATTORNEY

LETTER SENT TO LAWSON ON TRASH AROUND PROPERTY

Waters stated on March 22 he sent a letter to Ronald W. Lawson about some problems on the property that he is renting from Mrs. Frank Burdolski basically on a complaint about there being some trash, tires, junk car parts and junk cars around the property. Mr. Lawson was advised he was expected to clean up the property in that area and it would be discussed at the Council meeting so if he had any comments to make to the Council about the situation he should come to the meeting. The Mayor stated he had received a call on the situation and he understood that Mr. Lawson was cleaning it up. The Chief of Police had not been down to check on the situation yet.

UPDATE OF INSURANCE FOR CADET PROGRAM

Waters stated he had not received any correspondences from Mr. Tice of Laming, Tice Ins. informing him if the rider for the ride-along program for the Cadets was ready. The Chief of Police stated he had talked to Mr. Tice. Mr. Tice stated since this is a Cadet program instead of a ride-along program it puts a different light on things for him, since the Cadets are in uniforms and are performing some volunteer services for the City. Mr. Tice advised as far as riding in the car, in case of a car accident or anything involved with the vehicle, then they would be covered under the insurance of their own vehicle or their parents'

Regular City Council Meeting April 3, 1979

unapproved  
5-1-79 WPK

vehicle. That the cities of Kansas do not come under the no fault law. As far as any other injuries that might occur it would come under Workman Compensation even though they are volunteers. Reavis stated the Cadets are not covered if they are injured outside of the police car. He felt the Cadets should have some type of coverage for this. Cook stated he felt the City should have a letter from Tice stating where the City has present coverage and his interpretation of what that covered rather than a verbal statement. M. Sterner

M. Sterner, Councilperson, entered the meeting at 8:25 p.m.

EARL REAVIS/CHIEF OF POLICE

COST OF INSTALLATION OF PHONE

Reavis presented to the Council the cost of installing an extention phone in the police department. He stated the maximun installation charge was \$29.00 with a \$1.75 per month charge. A. Goens moved, second by M. Sterner to accept the installation of the phone. Five yes-opposed none. Motion carried.

RADAR GUN APPROVED

The Mayor stated since there is only one policeman on duty perhaps if he could patrol and use the radar at the same time it might be an advantage to the comunity. Reavis stated the cost of the new radar gun including the trade-in of the old gun is \$1,100.00. J. Cook moved, second by M. Sterner to purchase the new radar gun. Four yes-opposed one (A. Landauer). Motion carried. It was decided the gun would be purchased out of the Police Equipment Fund for the full amount rather than on a lease basis.

DISCUSSED POLICE SCHEDULE

Reavis was asked if he could break up the patrol schedule some because there are too many that know the schedule. He was also asked if once in awhile if the police could patrol later on a week night.

LEO MARTELL/CITY ENGINEER

Martell presented to the Council an estimated price for the road work this year. He stated the prices on chips and oil will be at least 15% higher this year. Martell stated there had been question asked on why the roads were breaking up and why the roads aren't acquiring a slick finish that comes with repeated sealing. Martell said after the roads had been prepared with a single seal that this is not enough oil to get back the oily looking surface, that too much oil is lost going down. Martell stated that Harbour had said the reason the roads are not holding up is because of the single seal. Martell stated to go to a double seal it would be 40% higher priced on an 18 foot width road per mile. After much discussion it was decided to go with the double seal this year instead of the single seal.

MARC-GRANT MONEY FOR COMPREHENSIVE PLAN

Martell stated MARC sent a letter to the City stating that there was grant money available to cities with a population under 50,000 to update or get a new comprehensive plan. He stated HUD would pay two-thirds of the cost.

WATER STUDY

Martell stated that the water study would probably be done before the next meeting.

ED SCHNEEBERGER/MUNICIPAL JUDGE

MARCH COURT REPORT

The fines for March court totaled \$258.00.

WILMA KIBLER/CITY CLERK

REPORT ON DOG VACCINATIONS

The Clerk stated Dr. Wasson said he felt one Saturday would be enough for vaccinations as last year on the second Saturday only about 15 people showed up. Dr. Wasson stated if the Council wanted two Saturdays that he would

Regular City Council Meeting April 3, 1979

unapproved  
5-1-79 CORK

not object to the Council asking Dr. Ringel or some other veterinarian to come in the second Saturday but he would only come on May 5. The rabies vaccination will cost \$3.50 this year. Dr. Wasson also felt someone should be at the fire station to sell dog tags rather than at the City Offices. The time for vaccinations will be between 1 and 4 p.m. M. Sterner moved, second by J. Cook to hire the City Clerk to sell the dog tags at the fire station. Five yes-opposed none. Motion carried.

RENEWAL CONTRACT FOR COPY MACHINE

The Mayor stated the renewal contract for the copy machine was due March 24. J. Cook moved, second by M. Sterner to renew the contract. Five yes-opposed none. Motion carried.

NOTICE & COMMUNICATION

CONTRACT ON PRE-SENTENCE INVESTIGATION

The Mayor read a letter from the First Judicial District in Leavenworth. Attached to the letter was a contract between the City and Leavenworth County providing the Municipal Court with probation service. M. Sterner moved, second by J. Ebert to sign the contract. Five yes-opposed none. Motion carried.

SCHOOL BOARD APPROVES MEETING PLACE

The Mayor informed the Council of a letter from Dr. Stansberry stating that the Council could use the study hall at the high school for their meetings at no cost. J. Cook moved, second by A. Landauer to change the meeting place to the study hall at the high school. Five yes-opposed none. Motion carried. It was decided to put a public notice in the newspaper of the change in the meeting place. Waters will prepare the ordinance for the change of the meeting place and at the next month meeting will have the first reading and waive the second reading under emergency circumstances.

AGENDA PRINTED IN NEWSPAPER

A. Landauer said she had been asked if the agenda for the Council meetings could be published in the newspaper a week ahead of the meeting. After much discussion it was felt there would be problems on having it published.

PRICE ON HAVING GRADER REPAIRED

The Mayor stated there was a gentleman present from Seller Truck Co. The gentleman stated about four weeks ago he had checked the grader over to see what repairs would be needed and the cost to have it done. The gentleman stated the approximate cost for repairs would be around \$5,698.00 which would not include the freight charge of around \$200.00.

CHANGE OF PLAT SIZE REQUIREMENT

The Mayor read a letter to the Council from the Register of Deeds office stating they were changing the plat size requirement to 24" X 36". The Register of Deeds office was requesting that the planning board be informed so they could take whatever action necessary to comply with the uniform size.

STREET & EQUIPMENT

HUMAN RESOURCES-CHECKED EQUIPMENT

The Mayor read a letter from the Kansas Department of Human Resources. After the equipment had been inspected the City received the letter stating that there was not a guard on the power take-off shafts on the tractor.

POLICE & PUBLIC SAFETY

TRASH & SHED AT APARTMENT BUILDING TAKEN CARE OF

The Mayor stated he had talked with owners of the apartment building on the shed and the trash barrels. The Mayor said arrangements were being made for the fire department to burn the building (shed) as a practice session, and as soon as the department received a letter from the owner they would go ahead. The Mayor stated the dogs were turning the trash barrels over so he had asked the owner to put some type of stakes up around the barrels.

Regular City Council Meeting April 3, 1979

unapproved

5-1-79 WRK

FINANCE & ADMINISTRATION

APPLICATIONS ON FULL-TIME EMPLOYEE

The Mayor stated that the City had received an application for the Full-time employee job. The Chief of Police had not interviewed him yet to see if he qualifies for the police work. The Mayor stated that some time he would like for the Council to meet for a short session to interview the applicant.

STREET & EQUIPMENT

LEASE/PURCHASE AGREEMENT ON A NEWER GRADER

The Mayor told the Council about an ad in the newspaper on a '72 Allis-Chamer road grader at Dean Machinery Co. He said he checked with them on the price of the '72 grader and what they would allow on the City's old grader. The Mayor stated the price of the '72 grader was \$18,500.00 with a \$2,500.00 trade-in on the old grader. To be able to buy it the City would have to deal on a cash basis and that would mean a lease/purchase agreement. On this type of agreement, the smallest amount of down payment would be \$3,000 plus the \$2,500 trade-in leaving a balance of \$14,000. This \$14,000 would be paid over a four year period with 7½% interest. After much discussion on the subject J. Cook moved, second by M. Sterner to lease the grader from Caterpillar and trade in the City's old one as per stated in report. Five yes-opposed none. Motion carried.

SEWER & SOLID WASTE

QUESTION ABOUT BOYS ON TRASH TRUCK

A. Landauer questioned the danger to the boys on the trash truck. She had noticed that the boys had been sitting on the back of the truck letting their feet drag on the pavement as the truck was moving. Also she questioned if the packer part could come down on the boys because she had seen one of the boys laying half way in the packer body.

A WORD OF APPRECIATION

Since this was Mrs. Sterner's last time to serve on the Council Jim Cook stated to Mrs. Sterner that he had enjoyed serving with her and he was sure that many appreciated her four years service to the City. He also stated that she would be missed.

ADJOURNMENT

J. Cook moved, second by J. Ebert to adjourn. The meeting adjourned at 10.:04 p.m.

*Chelma R. Kellan*

City Clerk