

SCANNED

31307 JK

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

~~was~~ approved
10-2-79 WRK

Regular City Council Meeting September 4, 1979
7:30 p.m. at the Basehor High study hall

Council Present: Anna Mary Landauer, Milton Meyer, Allen Goens,
Jim Cook, Garry Eberth entered at 8:10 p.m.
Presiding: Mayor Clarence I. Worley.
Others Present: City Treasurer, Jane Scherer; City Clerk, Wilma
Kibler; City Attorney, Douglas Waters entered
at 7:37 p.m.; Citizens of the community.

MINUTES:

The minutes of the regular meeting, August 7, 1979 were approved
as printed.

TREASURERS REPORT:

A. Landauer moved, second by A. Goens to reinvest c.d. #2574 and
c.d. #2735 at the First State Bank and c.d. #439 at Citizens
Mutual for six months. Four yes-opposed none. Motion carried.
The Mayor stated that Wayne Wolf had informed the City Treasurer
that the City could not start the City Facility Fund without an
ordinance establishing the fund. The Mayor stated another
problem is that the budget is running out on the Solid Waste
Fund. The Mayor stated if it was agreeable with the Council the
money from the City Facility Fund would be put back into the
Solid Waste Fund until an ordinance was written. This way
it would help the budget for the rest of the year. The Mayor
informed the Council the City could not exceed the budget
without amending the budget first. A. Landauer moved, second
by M. Meyer to move \$986.05 back to the Solid Waste Fund until
the City has an ordinance saying for the City Facility Fund.
Four yes-opposed none. Motion carried.

A. Goens moved, second by A. Landauer to accept the treasurer's
report and adopt appropriation ordinance #146. Four yes-opposed
none. Motion carried.

REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/CITY ATTORNEY:

REAL ESTATE CONTRACT FROM KEMLER

Mr. Waters presented to the Council for consideration the proposed
real estate contract by Mr. and Mrs. Kemler. There was one major
change from what the City had proposed to them and what the Council
adopted some four months ago for Mr. Kemler's approval, which
the City never received. Mr. Ethan Potter, attorney for Kemler's,
had amended the contract to show basically that the payments be
received half this year and half next year. The attorney left the
dollar amount and date when to be paid blank in the contract.
Waters stated there had been some earlier discussion where it was
suggested the second half of the payment be received in January
1980.

Waters stated the legal description used on the contract is some-
thing that has been pulled together from some old abstracts on
the property. In this contract and the previous contract the
City is responsible in assuring they have full title to the
property. Waters stated at present without a survey it is hard
to say how much property the City is buying on that tract. Once
that is established the only way to guarantee title, because
of the problems in the change of the title on the abstract,
would be to get title insurance on the property.

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Mr. Waters stated if Martell, city engineer, could survey it within the next 30 days and if the contract is acceptable to the Council it could be closed by the next Council meeting. The Council discussed having Leo Martell survey the property and approximately what the cost of a survey would be. They decided to table it until Mr. Martell arrived at the meeting to asked him what it would cost for a survey.

DISCUSSED LANDAUER'S CLAIM SUIT

Waters stated last Friday the Mayor, the City's Insurance Adjustor and himself were ready and able to meet with Mrs. Wilma Landauer and her representative at Mrs. Landauer's home at 7 o'clock in the evening on the claim made by Mrs. Landauer, but they were told at a late hour Friday afternoon that that time would not be convenient for them. Mr. Waters stated they are trying to re-establish another time to view the property and view the alledged damage on the property. A. Landauer asked that it be stated in the minutes that this is Mrs. Wilma Landauer. Carol Sindelar, an employee for Leo Martell, entered the meeting at this time.

The Council asked Ms. Sindelar what the cost of a survey would be on the Kemler's property. She stated she could not give them an answer but would take the information to Leo Martell. The Council discussed setting a figure for the survey and decided anything above that figure they would hold up on the survey. A. Goens moved, second by A. Landauer to set a figure of \$500.00 to have the land surveyed. If it can be done for \$500.00 go ahead and if not notify the Council and poll them. Four yes-opposed none. Motion carried.

LEO MARTELL/CITY ENGINEER:

DEPT. OF HEALTH & ENVIRONMENT CONCERNING LATE REPORTS

The Mayor stated Martell had sent letters to Ralph Collie of the Dept. of Health and Environment concerning the reports that were late on the lagoons. Martell asked for an extention of time. General Testing Laboratories, Inc. is performing the work temporarily. Ms. Sindelar stated Martell had General Testing Laboratories, Inc. come out to do the test, but she didn't think Martell was pleased with the people that were sent out. The last she had heard Martell was going to talk to General Testing, Laboratories, Inc.

DAN CARROLL/MUNICIPAL JUDGE:

AUGUST COURT REPORT

The court fees collected for August was \$548.00.

WILMA KIBLER/CITY CLERK:

SENIOR CITIZENS DISCOUNT DISCUSSED

Garry Eberth entered at 8:10 p.m.

The City Clerk had some questions on the 25% discount. She wanted to know when it would become effective and she also asked who qualifies for the discount, in other words if the wife is 65 years old and the husband is 63 years old can she apply for the discount. It was felt that there would be very few of those that would ever come up. The City Clerk stated if it did come up she would bring it to the Council for their decision on it. The Council discussed how it would be billed. If the people would be credited the amount or would the people be billed for the full amount and a rebate be refunded to them. The Council didn't want to work on a refund basis because it would be a large enough disruption of the system without getting into rebate.

Earl Reavis, Chief of Police, entered meeting.

A. Landauer moved, second by A. Goens that from now till the first of the year they (senior citizens) have time to file for eligibility of 25% discount on their solid waste by filling out an application. The billing will become effective January 1, 1980. Anyone eligible during the year of 1980 apply at the office and the discount will become effective in the next billing cycle after their birth date. Three yes-opposed two (J. Cook, M. Meyer). Motion carried.

EARL REAVIS/CHIEF OF POLICE:

SIREN AND RED LIGHTS APPROVED FOR BLUE FORD

Reavis stated the blue Ford needs a siren and revolving red lights. He had checked and an electronic siren would be around \$130.00 and red lights on a bar would be \$125.00. J. Cook moved, second by G. Eberth to allow the Chief of Police to purchase red lights and siren for the Ford not to exceed \$260.00. Five yes-opposed none. Motion carried.

A. Landauer asked if there was going to be any more night duties in police patrol in this town after 11 o'clock at night and how many nights a week. Reavis said yes and it would probably be one or two nights except for Friday and Saturday which there always is patrolling after 11.

Cook asked if the City situation with Leavenworth County Sheriff Dept. had improved any. He wanted to know if Basehor was being singled out. He also asked if the rest of the cities are getting assistance on calls. Reavis stated he knew of two calls during the day that people called the sheriff dept. and they said no, to call a Basehor Police officer. Reavis stated there is a directive at the dispatch office that says the sheriff dept. will handle all felony cases in Easton, Linwood and Basehor, yet they turn right around and refuse to cover them. Reavis said he didn't know if the sheriff dept. was singling Basehor out or if it was a shortage of man power. Reavis was to do some checking on the situation to see if it was a man power problem or a statement of some sorts.

NOTICE & COMMUNICATIONS:

SUSPECTED TWO SEPERATE FAMILIES LIVING IN ONE HOUSE

Robert VanCleave stated the Planning Commission had been notified of a report from a citizen that the Tavis house in Rickel Addition is suspected by the person making the report of housing two seperate families, whether they are renters or whatnot the Planning Commission is not for sure. This would be in violation of the zoning rules.

DYERSON'S PROPERTY DISCUSSED

It was asked if there had been any progress on the cleaning up of the Dyerson's property by sending the letter. Reavis said they had cut some weeds but that was it. The Council felt it should be pursued.

WEEDS ON LOT IN RICKEL ADDITION

There was a letter sent to the owner of the vacant lot in Rickel Addition and they said they had no way of mowing it. It was felt the City should go ahead and mow it and send them a bill on it. There had been compliants on the lot every year. When the weeds are cut whoever mows it will have to be very careful because there is a lot of junk on the lot. It was felt that the local neighbors had been using the lot as a junk yard.

DECISION ON TWO FAMILIES LIVING IN ONE HOUSE

The Council discussed what should be done about the Tavis property. It was decided to have Reavis check on it.

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DECISION ON DYERSON'S PROPERTY

It was also decided to have Reavis pursue the Dyerson's property. It was decided that the Council would go to the limit on the property. That the Council is prepared to go to court on it or to go in and clean it up and assess the bill to them.

INTRODUCTION & CONSIDERATION OF ORDINANCE:

NEW DIMENSIONS OF FINAL PLAT ADOPTED - ORDINANCE 132

Waters presented to the Council the proposed ordinance on dimensions of the final plat enabling them to be uniform in size. J. Cook moved, second by A. Landauer to waive the second reading on the new plat ordinance and adopt same. Five yes-opposed none. Motion carried.

ADOPTED NEW STANDARD TRAFFIC ORDINANCE - ORDINANCE 133

The adopting of the new standard traffic ordinance of Kansas cities of 1979 was presented to the Council for a second reading. J. Cook moved, second by A. Landauer to waive the second reading and adopt the new standard traffic laws and accept same. Five yes-opposed none. Motion carried.

Reavis asked Waters what would have to be done to put a careless driving charge to this ordinance. Waters stated there would have to be a separate ordinance.

Waters stated he would draw up an ordinance on this and offer it to the Council for their consideration at the next meeting.

SALARIES FOR CITY OFFICERS ADOPTED - ORDINANCE 134

The second reading on adopting the salaries for the City Officers were presented to the Council. A. Landauer moved, second by M. Meyer to waive the second reading and accept the ordinance. Five yes-opposed none. Motion carried.

STREET & EQUIPMENT:

The Mayor notified the Council that the dump truck backed into the mowing tractor. He didn't know how it was done. There was damage to the tractor and will have a bill on it which will be around \$200.00.

FINANCE & ADMINISTRATION:

REPORT ON OFFICE CABINETS

A. Landauer reported that Bates had completed the cabinets.

SEWER & SOLID WASTE:

REMINDER OF PUBLIC HEARING ON SEWER FACILITY PLAN

Ms. Sindelar reminded the Council of the public hearing on September 25 at 7:30 at the Basehor High study hall. The purpose of the meeting would be to explain the findings of the sewer facility plan.

POLICE & PUBLIC SAFETY:

DISCUSSED FULL-TIME EMPLOYEE PATROLLING DURING SCHOOL HOURS

M. Sterner (citizen) stated she was on the Council when the job for the full-time employee was set up and she wanted to know if it had been changed one degree, since the City got the full-time employee so the City could have him on duty at the beginning of school and when school let out. The Mayor stated not to his knowledge, but he didn't know if the full-time employee had been doing any patrolling before school and after school.

EXECUTIVE SESSION

The Mayor asked that the Council go into an executive session as there was a little personnel problem he would like to talk to the Council about. M. Meyer moved, second by A. Goens to go into an executive session. Five yes-opposed none. Motion carried.

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The Mayor stated the meeting would reconvene at 9 p.m. The regular meeting adjourned to executive session at 8:40 p.m.

RESUME REGULAR MEETING

The regular meeting resumed at 9:10 p.m. J. Cook moved, second by A. Goens to resume the regular meeting. Five yes-opposed none. Motion carried.

ADJOURNMENT

J. Cook moved, second by A. Landauer to adjourn. The meeting adjourned at 9:11 p.m.

Wilma R. Kibler
City Clerk