

SCANNED

3-1307 OK

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

unapproved
Dec. 4, 1979
SUM

Regular City Council Meeting November 6, 1979
7:30 p.m. at the Basehor High study hall

Council Present: Garry Eberth, Milton Meyer, Jim Cook.
Presiding: Mayor Allen Goens.
Others Present: City Attorney, Douglas Waters; City Treasurer,
Jane Scherer; City Engineer, Leo Martell; Chief
of Police, Earl Reavis; Wilma Kibler; Citizens
of the Community.

First order of business was for the Council to consider the Mayor's appointment of Margaret Sterner to the vacant Council seat. J. Cook moved, second by M. Meyer to accept Margaret Sterner to fill the empty Council seat. Three yes-opposed none. Motion carried. Mayor Goens presented the Oath of Office to Margaret Sterner.

MINUTES:

The minutes of the regular meeting, October 2, 1979 was approved as printed.

TREASURERS REPORT:

NOVAK'S CHECK REJECTED BY COUNCIL

Cook stated he had a question he wanted answered and felt it should be presented to the public. It concerned a \$25.00 check from John Novak. According to Douglas Waters, city attorney and Cook Mr. Novak had contacted Waters suggesting something could be amiss in the City books and felt an audit was in order. Novak stated he know of one or two citizens in the community that could be willing to foot the bill for an audit of the City books up to and including September 1, 1979. When Waters informed the Council of the offer, the Council directed Waters to write a letter to Novak to see how he wanted to proceed on the audit. Upon contacting Novak to inform him the Council had accepted his offer of the private citizen or citizens footing the complete bill of the audit, which would cost approximately \$2,500 to \$3,000, Novak's offer had dwindled to a personal contribution of \$25.00. Novak stated he felt the general campaign should be conducted through the City to solicit contributions of whatever amount anyone wanted to give to have the independent audit. Novak stated he would be willing to insert his own personal note in the Sewer and Solid Waste bill statement to the community advising the people to do this and that he recommended such a program. Cook stated he didn't know about the rest of the Council, but he hated to see the City used as a pawn in Mr. Novak's bid for county commissioner. Cook stated personally he would like to reject the offer because it was only 1% of the total cost that the innuendo and rumor had cost the taxpayers of approximately \$2,500. Cook didn't feel a \$25.00 contribution could buy the City's accomplicity in any particular political stepping stone Mr. Novak may have in mind. Cook also felt this was what the offer represented so Cook moved, second by M. Sterner that the offer be rejected and Mr. Novak's \$25.00 refunded. Four yes-opposed none. Motion carried.

REINVEST C.D.'S - TREASURER'S REPORT ACCEPTED

J. Cook moved, second by G. Eberth to purchase a new c.d. for six months and reinvest c.d.'s 2656 and 2899 for 90 days at the place with the highest rate of interest. Four yes-opposed none. Motion carried.

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The new c.d. for six months is to be purchased at Citizens Mutual. J. Cook moved, second by M. Meyer to accept the treasurer's report and adopt appropriation ordinance #148, with the exception of Novak's check. Four yes-opposed none. Motion carried.

INSURANCE CHECK TO BE REISSUED

Mrs. Scherer stated that Williams Insurance had received a refund of \$199.79 on the policy that was taken out on Mike Isabell. The refund came back made out to Mike Isabell. Williams Insurance wanted to know if the City wanted them to send the check back and have it reissued to the City of Basehor. The Council agreed the check should be sent back and reissued to the City.

PRESENTATION OF PETITION & REQUEST (CITIZENS):

SENIOR CITIZENS HOUSING INCORPORATION, INC.

Ward Kiester was representing the Senior Citizens Housing Incorporation, Incorporated which had recently been formed. The group is planning to secure a government loan and build 20 to 24 unit housing apartment for senior citizens. Mr. Kiester wanted to know if the City would have room in the lagoons to take care of a sewage disposal from the 20 to 24 unit apartment. Kiester stated they had four sites under consideration and all four sites were close to the lagoons. Kiester asked if it would make any difference in which lagoon the unit would be emptied into as the sites being considered are located close to both lagoons. Mr. Kiester also asked what they need to do after they got the rough outlines of the operation. Should they go to the Planning Commission as soon as they get the rough sketches, or before the rough sketches are done, or would the City Council take action on it. The Council felt they should go to the Commission first. Cook stated if it would take statements from the Council showing their support for this project the Council would be more then willing to give it.

SPECIAL COUNCIL MEETING MINUTES APPROVED

Mayor Goens asked for approval of the special minutes of October 8, 1979. J. Cook moved, second by G. Eberth to approve the minutes. Four yes-opposed none. Motion carried.

COMPLAINT ON SALVAGE YARD

Mr. McBrien voiced a complaint on the property where Ronald Lawson is living. Mrs. Frank Burdolski, 2203 N. 68th St., Kansas City, Kansas is the owner of the property. McBrien stated he had been told the property was zoned commercial. McBrien felt if the property was zoned commercial, and Lawson was operating a salvage yard, and Mrs. Burdolski agreed to the operation than Lawson should obtain a license to do so. Cook showed the Council a zoning map of Basehor and the property in question is not zoned commercial but R-1. After a discussion it was decided to have the Chief of Police check the property and the City Attorney write a letter to Mr. Lawson asking him to come to the next Council meeting to explain his position. The City Attorney would also write to Mrs. Burdolski to inform her of what was happening and ask her to come to the meeting. Waters was also asked to explore a possible home occupancy revision to the subdivision rules and regulation and within 30 days present it to the Council.

REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/CITY ATTORNEY:

RESOLUTION FOR TRAPPING MUSKRATS

Waters stated Melvin McMackin asked for permission and authorization from the City to trap muskrats that had been causing problems for the city lagoons. Waters felt the best way to treat this would be with a resolution by the Council giving McMackin the

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authorization and until such time as resolution is nullified or terminated by the Council. If it is passed by the Council it would be resolution number 9. J. Cook moved, second by M. Sterner to approve the resolution for the trapping of muskrats. Four yes-opposed none. Motion carried.

JOINT MEETING ON LANDAUER CLAIM

Waters brought the Council up to date on the claim by Wilma Landauer for damages for the back up of the sewer problem in her home. Her attorney has asked to schedule a joint meeting with the insurance representative, Leo Martell and himself.

KEMLER PROPERTY SURVEY - PRICE RAISED

Mr. Kemler's attorney had contacted Waters. He was wondering if there was any progress on the survey on the property so the contract could be finalized. Martell stated his chief engineer didn't feel \$500.00 was quite enough. Martell stated he didn't feel the survey would be all that difficult, but he was wondering if the Council could give him a \$150.00 leeway. J. Cook moved, second by M. Meyer to extend the \$500.00 ceiling to \$650.00. Four yes-opposed none. Motion carried. Martell was asked by the Council if he would wait until after the first of the year for his money. Martell stated yes.

Mayor Goens stated Mr. Kemler had approached him on this matter as Mr. Kemler would like something done on it as he would like to have half of his money before the end of the year and possibly the rest of his money first part of the next year.

EARL REAVIS/CHIEF OF POLICE:

WINDSHIELD BROKEN

Reavis stated Friday night the windshield on the blue Ford police car was broken. A pumpkin was thrown into it. The insurance company was notified and they will be taking care of the matter.

LEO MARTELL/CITY ENGINEER:

WILL CHECK ON CULVERT AND SEWER EASEMENT

Martell stated he had not checked on the culvert on Landauer Street or the eroding on the sewer easement at Jennings, but would before the next meeting. Martell stated the drainage ditch at Rankins subdivision was still being worked on. The City is still holding \$2,000.00 of Mr. Rankin's money as security to be sure it is done.

SEWER REPORT DISCUSSED

Martell stated since the sewer report was submitted and the hearing over with the Council was going to have to consider accepting it in full or part or whatever so they could continue with the application of Step 4. Step 4 is a combination of the other steps to apply for the construction of the improvement of the lagoons system. J. Cook moved, second by M. Meyer to accept the findings of the sewer lagoon report and accept the recommendations therein. After a discussion on the matter it was decided to hold a work session. Cook decided to withdraw his motion.

WORK SESSION

The Council decided to have a work session which would include Wayne Wolf on his findings on the audit, Leo Martell on the sewer report and Jane Scherer on the budget problem.

INCORRECT SEWER HOOK UP

Martell stated there was a problem with Mr. Owen on the sewer hook up. Mr. Owen is the one who came in for a lot split which was granted. When Mr. Owen installed the sewers instead of going seperately from each lot into the street he joined the two houses together in one line and took them into one connection.

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Martell stated they tried to stop Mr. Owen by telling him what was right and wrong, but it didn't make any difference to Mr. Owen. Mr. Owen stated he was going to do it anyhow. Martell stated they didn't inspect the connection to the city sewer, because Mr. Owen went ahead and did it after telling him not to. Martell stated all it would take would be an easement across the lots, but this is not the best way to do it. Martell stated he will try to find out who had the loans on the houses and inform them. He felt the loan company would put pressure on the people to correct the matter. If Martell can't find out who is handling the loan on the houses he is to put a stop work order on the houses.

VAN CLEAVE REQUESTED NOTIFICATION OF SPECIAL MEETING

Robert Van Cleave requested that he be notified ahead of time of any special meetings regarding sewer or water bonds, or city audit. He would not require a written notice but his request would be a phone call to his office. The message could be left with the secretary. Waters stated since Mr. Van Cleave had made the request the City would have to comply.

DISCUSSED ESTABLISHING CRITERIA FOR WATER DISTRICT

Cook stated it had been four or five months since they had the study on the water situation in Basehor and the meeting with the water board. Cook stated the only reason he could see for acquiring the water district was for a better control of that utility for the City and the general protection of the safety, health and welfare of the citizens. Cook stated the City has other utilities serving them such as the gas and electricity, and he considered the water more or less a public utility when it's operating within the City. Cook asked if the City would be within their rights to establish certain criteria on a utility operating within the city limits to protect the safety, health and welfare of the citizens. Martell stated the recommendation in the report was the City should, not shall, work out a criteria of standards for the water system within the city limits. The water district or whoever owned the water would have to install anything according to the criteria within the city limits. After more discussion it was decided to give it more study before a decision be made on setting up a criteria for the water system.

DAN CARROLL/MUNICIPAL JUDGE:

OCTOBER COURT REPORT

The fines collected for October total \$497.00.

NEW JUDGE OUT-OF-TOWN COURT DATE

Waters stated the new judge will not be able to attend the November court, since it is a holiday he will be out of town. It was decided that Waters should try to get a pro tem for court that night.

CITY CLERK:

The Mayor stated they were without a city clerk again. He had a note from Dr. Snow on Felicia Terron stating he advised her to discontinue working as she was allergic to the ink used in the copy machine. Cook stated that in their interviews the Council had a hard time finding someone willing to accept that responsibility and that much work for more or less the \$476.00 a month that the City had to pay. Cook stated with the help of Mrs. Kibler and Mrs. Magaha there was a plan that may work. Cook stated the plan is to appoint a city clerk, as was in the past, before the Sewer and Solid Waste billing came into the job, at a half day open city office. Mrs. Magaha agreed she

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would take on the duties of city clerk for \$300.00 a month. Mrs. Kibler also agreed under this plan that she would accept the responsibility of Sewer and Solid Waste billing for \$175.00 a month with the condition that the billing was to go back to monthly. Cook stated the city office hours would be from 9 a.m. to 1 p.m., four days a week.

Cook stated Mrs. Magaha is editor of the newspaper, and she had given notice to her employer. Her employer has asked that she assist in name only as editor of the Sentinel until January 1. Mrs. Magaha stated she would write no stories concerning city business.

Mayor Goens recommended that the Council approve the hiring of Sherrie Magaha as city clerk and Wilma Kibler as billing clerk for the figures of \$300.00 and \$175.00. J. Cook moved, second by G. Eberth to accept the Mayor's appointment.

Four yes-opposed none. Motion carried.

NOTICE & COMMUNICATION:

CITY ACCEPTED FOR REVENUE SHARING

The Mayor stated there was a card confirming that Basehor has been accepted by the Office of Revenue Sharing for EP11.

MONITORING REPORT ON LAGOONS

The Mayor stated the City received letters from the health and environment department on the monitoring report on both lagoons. Martell stated the thing that is now incomplete is that they want recorded on their daily flow report a full 30 days of reading instead of a weeks reading.

MC CREARY APPLYING FOR LOT SPLIT

It was brought to the Council's attention that Patrick McCreary had applied for a lot split. The Council was also told that a copy had been sent to the Planning Commission secretary and a copy to Leo Martell.

STREET & EQUIPMENT:

TRACTOR NOT WORKING RIGHT

The Mayor brought to the Council's attention that the tractor hydraulic steering is not working right. The clutch is also bad.

SEWER & SOLID WASTE:

NEW REGULATIONS CONCERNING SOLID WASTE

The Mayor stated that the trash truck is making a lot of noise and it is missing out again. The Mayor stated he has spent four nights working on the truck and it seems endless. He said he didn't know what was wrong with it now. The Mayor asked Cook to give the Council a summary on what J & F Disposal in Leavenworth had to offer to the City on trash hauling.

An administrative directive was made to the Mayor for him to keep tract of his hours or his charges for labor performed on the truck and present a bill to the Council.

After much discussion on the mechanical problems of the trash truck, the underbudget problems of the solid waste fund, changing to bags only pick up and changing the rate charges the following motion was made. J. Cook moved, second by G. Eberth that the City of Basehor go to \$4.25 as the basic rate for trash pick up. Further disallowing any barrels or trash barrels to be used for the City's truck pick up using bags only or disposal boxes at curb or alley. Allow a personal permit at the rate of \$10.00 per year. Allow persons 65 years of age or older or disabled persons to apply for a special rate of \$2.00 if they will ask for exemption and produce no more then 2 bags of trash a week on an average. Also the billing on sewer and solid waste shall revert to 30 day billing. Large items will be allowed. This is

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to be effective the first of January. Four yes-opposed none.
Motion carried.

EXECUTIVE SESSION

J. Cook moved, second by M. Sterner to go into an executive session to discuss a personnel problem in the police department. The Council went into executive session at 9:45 p.m. Four yes-opposed none. Motion carried.

ADJOURNED EXECUTIVE SESSION

At 9:55 p.m. J. Cook moved, second by G. Eberth to adjourn the executive meeting and reconvene the regular meeting. Four yes-opposed none. Motion carried. Mayor Goens presented the Oath of Office to Sherrie Magaha as City Clerk.

RESCIND POLICE COMMISSION

J. Cook moved, second by M. Sterner to rescind Mike Isabell's police commission. Four yes-opposed none. Motion carried.

ADJOURNMENT

J. Cook moved, second by M. Sterner to adjourn. Meeting adjourned.

Wilma Q. Kilder