SCANNED

3-22-07 DK

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

unapproved
2-7-78 WK

Regular City Council Meeting January 3, 1978
7:30 p.m. at the Fairmount Township Hall
Council Present: Anna Mary Landauer, Margaret Sterner, John Ebert, Allen Goens, Jim Cook.
Presiding: Mayor Clarence Worley.
Others Present: Douglas Waters, City Attorney; Virginia Williams, City Treasurer; Wilma Kibler, City Clerk; Leo Martell, City Engineer (entered at 7:50 p.m.); citizens of the community.

MINUTES:

The minutes of the regular council meeting December 6, 1977 were approved as printed.

TREASURERS REPORT:

Due to the copy machine being broken the Council received their treasurer's report late. It was decided to postpone the vote on the treasurer's report to the end of the meeting so the Council would have the time to study the report. A. Landauer moved to reinvest $11,803.72, c.d. #906, due 1-6-78 at the Citizens Mutual in Basehor. It was discussed that the money from the c.d. should be reinvested at the place that gives the highest rate of interest. Mrs. Landauer rescinded the motion. A. Landauer moved, seconded by J. Cook to reinvest c.d. #906 with the place that has the highest rate of interest. If it stays with Citizens Mutual Savings and Loan in Basehor reinvest the whole amount of $11,803.72. If the highest rate of interest is with First State Bank in Tonganoxie reinvest $11,000.00 and put the $803.72 in the savings account. Five yes-opposed none. Motion carried.

PETITIONS & REQUESTS (CITIZENS):

BUNCE REQUEST CITY MOVE STREET DRAINAGE TUBE

Bunce asked if the City could move the drainage tube that goes under South Circle Drive to the east some so to line it up with the drainage ditch on his property. Also, the drainage tube cuts into his driveway about six feet and if it was moved he would not have to put in the junction box that was required by the city engineer. When Mr. Bunce built his house he moved the natural waterway ditch to the east along his property line. Mr. Bunce stated he would be willing to pay one-third of the $500.00 cost, which he had been told it would be, if the City would move the drainage tube. Martell had talked with Mr. Harbour of Harbour Bros. Construction on the cost of moving the tube and Mr. Harbour's cost was approximately $500.00. When the Council questioned the city engineer on the situation and ask for his recommendations, Mr. Martell stated he could not make a positive recommendation on it right now but would like to check into it further. The Council felt before anything is done they should have more positive information on it and an estimate from Dick Hayes be brought to them at the February Council meeting. The Council also felt if anything is done it should be done correctly to eliminate any further problems in that area.

GATEWOOD WORKING-CHECKING WITH CETA

The Mayor reported Mr. Gatewood had started to work in January at $575.00, and when he starts trash pick-up in February his salary will go to $800.00. The Mayor has talked with Mr. Coleman of CETA about Mr. Gatewood. Mr. Coleman is to come to Basehor to talk with the Mayor about filling out a contract for On the Job Training which is on a 50-50 bases on the salary of $575.00. The reason CETA can not pay on a 50-50 bases on the $800.00 salary is because the trash truck is involved and it is a profit making business. CETA will then study the contract to see if the City meets all of the requirements that are necessary for them to be able to obtain the financial aid that is needed.

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REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/ATTORNEY REPORT

CITY REQUEST CONTRACT ON 155th STREET FROM COUNTY COMMISSIONERS

Mr. Waters reported he had talked with the Leavenworth County Commissioners to see what their intentions were on doing the maintenance work on 155th Street for the year of 1978. Mr. Waters requested Mr. Sasche, County Engineer, to report to the County Commissioners on the situation. Mr. Waters felt he would receive an answer by the end of the week.

DISSOLUTION OF RURAL WATER DISTRICT REPORT

Mr. Waters reported on the memorandum he had handed out to the Council on the "Dissolution of a Rural Water District". He listed three separate alternatives in the order from the easiest to the hardest. They were:

1. A Rural Water District can be dissolved upon the petition of at least three-fourths (3/4) of the landowners in the district and the finding by the Board of County Commissioners that the district is not functioning. K.S.A. 82a-629.

2. If the land can not be economically or adequately served by the Rural Water District, a petition signed by at least seventy-five (75%) per cent of the total number of the owners of the land desiring release can also petition the County Commissioners and they can be separated from the district upon a finding by the County Commissioners that the land is not being economically or adequately served. K.S.A. 82a-630. (Such a petition could precipitate a finding that the district is not functioning as outlined in paragraph number 1 above.)

3. Under K.S.A. 12-845 the City has the right of eminent domain within five (5) miles of its city limits to condemn property in order to establish its own water system.

He, also, stated that under K.S.A 12-834 by a majority vote of the people bonds can be issued to purchase, extend and improve the supply of water. After the election, an ordinance can be drawn to inact such procedures. However, under K.S.A. 12-836 bonded indebtedness must not exceed twenty-five (25%) per cent of the total assessed valuation. Later financing can be arranged by revenue bonds.

ESTIMATED ATTORNEY FEES FOR LEGAL WORK

Mr. Waters stated that he had been asked to present an estimate of his cost for handling a matter such as this. He stated if it was going to be a contest before the court involving the City's rights of eminent domain his fee would probably be around $2,000 or $3,000 or even more depending on how involved it would get. If there were to be bonds issued and everything was satisfactory to the landowners as far as acquiring the property he estimated his fee would be three (3%) per cent of the gross amount of the bond project.

ATTORNEY REPRESENT COUNCIL AT WATER BOARD

Mr. Waters suggested at this point the Council authorise him to appear before the annual meeting of the Rural Water District board to present whatever the Council wished to be presented at that time. The Mayor asked if the Council had more questions or anything that they felt should be checked into. J. Ebert felt the attorney should look into the Environmental Impact Statement. It was the consensus of the Council that they did not wish Mr. Waters to attend the Rural Water District board meeting.

EARL REAVIS/CHIEF OF POLICE

ASKED FOR PAY RAISE

Sgt. Kibler asked the Council for a 20¢ pay raise for the reserves. This

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would raise the reserves' pay from $2.30 an hour to $2.50. By doing this it would keep the reserves' hourly wage close to the Federal minimum wage of $2.65 an hour, that way if the City would ever be required to pay the Federal wage there would not be a big jump of wages at one time.

REQUEST BATTERY FOR WALKIE-TALKIE AND A SAFETY SHIELD

Kibler asked the Council for a battery for the walkie-talkie. The cost would be approximately $45.00. He also requested a safety shield (model #7-CR) for the patrol car. The cost of the shield would be $120.00.

REPORT ON P.D. LOG FOR 1977

Kibler gave a report on what the department had done in the past year. The men worked 1,586 hours, drove 12,763 miles, had 13 accident reports, 9 theft reports, 4 burglarys, 15 disturbance, 3 dog bites and 217 traffic citations.

WALKIE-TALKIE BATTERY CARRIED

A. Goens moved, seconded by J. Cook to buy the battery for the walkie-talkie. Five yes-opposed none. Motion carried.

RAISE AND SAFETY SHILLD-TABLED

J. Cook moved to give the reserves a 20¢ raise. The motion died for a lack of a second. The Council decided to table the raise until February meeting so they could study it more. The safety shield was also tabled till the February meeting.

LEO MARTELL/CITY ENGINEER REPORT:

FLOW METERS OPERATING

Martell stated the flow meters are both in operation. He also stated it will be quite simple for the lift station operator to take care of them and read them.

QUARTERLY PARAMETER SUMMARY REPORT

Mr. Martell had talked to Thomas Ward about the quarterly report on the lagoon capacity readings and percentages which were low.

MARC STEP 1 GRANT

Martell stated they had attended the MARC meeting in December and the City is definitely on the Step 1 Grant. Martell is sending Jack Jolly to another meeting January 4, which is when the MARC Council confirms the applications.

STREET-HARBOUR BROTHERS CONSTRUCTION

The City received a revised statement from Harbour Brothers Construction after they had rechecked their files. The City now owes $12,084.04 instead of the previous amount of $13,806.84.

MICHAEL CROW/MUNICIPAL JUDGE REPORT:

DOCKET REPORT

The Mayor stated the November court fines were $196.00 and the December fines were $531.50.

COURT CLERK-TURNED DOWN

Waters stated that a few of the people in the court room had made the statement that it looked like a "kangaroo" court with the judge trying the cases and also receiving the money. Mr. Waters stated the judge felt if it was at all possible he would prefer having the clerk at the session to handle the transactions for him as there are judicial guidelines that the judge is not suppose to be in direct receipt of money during the court session. The Council felt that there was not a need for the clerk to attend the court session at this time. If the situation should become critical in the future the Council will then decide on the matter.

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NOTICE & COMMUNICATIONS:

SPECIAL USE PERMIT-JAMES R. HOFFMAN-MOBILE HOME

The renewal of a special use permit for one more year, to allow James R. Hoffman on 150th Street to keep a mobile home on his property for his mother who has health problems, was considered. J. Cook moved, seconded by A. Goens to renew the special use permit for James R. Hoffman. Five yes-opposed none. Motion carried.

COMMERCIAL HAULERS PERMIT-APPROVED

R. O. Barr applied for renewal of his commercial hauler permit which would allow him to haul solid waste in Basehor. A. Landauer moved, seconded by J. Cook to accept the renewal. Five yes-opposed none. Motion carried.

BUSHMAN, WOLF & WOOD CONTRACT

The Mayor presented a letter from Bushman, Wolf & Wood. This letter stated the accounting services the firm would be providing Basehor and the fees for the services. The fees for municipalities are $25.00 per hour for partner or equivalent, $15.00 per hour for staff accountant, and $10.00 per hour for clerical assistance. This would be billed monthly as the work progresses and due when rendered.

AD FOR TRASH PICK-UP HELP IN PAPER

The Mayor brought to the Council's attention that there had been an ad put in the paper for trash pick-up help. He thought it would be best if the ad was put on the front page so people could find it easier.

STREETS & EQUIPMENT REPORT:

WEEKLY WORK FORMS-GATEWOOD

There has been a weekly work form made up for Gatewood to fill out. It will be kept at the City Offices if any of the Council would want to check it.

FINANCE & ADMINISTRATION REPORT:

WINDOWS IN CITY OFFICES

There has been two new windows installed in the City Offices in hopes it will cut down the draft.

TREASURERS REPORT:

The treasurers report which had been postponed till the end of the meeting was studied by the Council. J. Cook moved, seconded by A. Goens to accept the treasurers report and adopt appropriation ordinance #127. Five yes-opposed none. Motion carried.

ADJOURNMENT

J. Cook moved, seconded by M. Sterner to adjourn. The meeting adjourned at 9:50 p.m.

Wilma R. Kibler

Wilma R. Kibler
City Clerk