

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

unapproved
7-5-78 WRK

Budget Meeting August 1, 1978
7:30 p.m. at the Fairmount Township Hall

Allen Goens, president of the Council asked for a motion to open the budget hearing. J. Cook moved to open the public budget hearing for 1979. Goens asked the citizens present if they had any questions concerning the proposed 1979 Budget. There were none. J. Cook moved, second by J. Ebert to adopt the 1979 Budget. Three yes-opposed none. Motion carried. Since there were only three members of the Council present and the Mayor being absent J. Ebert felt in view of the voting and everything the meeting should be recessed until the next week. J. Ebert moved to recess the meeting for a week. J. Cook moved to close the Budget meeting.

Council Meeting August 1, 1978

Council Present: John Ebert, Jim Cook.

Presiding: Allen Goens, president of the Council.

Others Present: Douglas Waters, City Attorney; V. Williams, City Treasurer; Earl Reavis, Police Advisor; Wilma Kibler, City Clerk; citizens of the community.

Allen Goens, president of the Council called the meeting to order. J. Ebert stated his motion was still to recess for a week. Cook stated it couldn't be put in the paper in time to notify the people of the recess for one week and the recess would have to be longer than a week. It was also decided that the Council needed to approve a new city treasurer before the meeting was recessed.

APPOINTMENT OF CITY TREASURER

Goens appointed Jane Scherer as City Treasurer. J. Cook moved, second by J. Ebert that Jane Scherer be accepted. Three yes-opposed none. Motion carried.

WILLIAMS RESIGNS AS CITY TREASURER

Goens read the resignation from Virginia Williams as City Treasurer. Mrs. Williams has served as treasurer for two years. Her resignation is effective August 1, 1978.

RESIGNATION OF JANE SCHERER - PLANNING BOARD

Goens read the resignation of Jane Scherer from the Planning Board effective August 1, 1978.

M. Sterner, Councilperson, entered at 7:50 p.m.

ASKED IF WANTED MEETING RECESSED

Goens asked if the Council wished to recess the meeting. J. Cook said he would not second the motion to recess since Sterner was present and that the meetings had been held before with just three members present. Goens decided to go ahead with the meeting.

APPOINTMENT OF PLANNING BOARD MEMBERS

The reappointment of two members of the Planning Board was next on the agenda. Charles Newman was appointed to the Planning Board. J. Cook moved, second by J. Ebert to approve the appointment of Charles Newman. Four yes-opposed none. Motion carried.

Anna Jean Breuer was appointed to the Basehor Planning Board. J. Cook moved, second by J. Ebert to accept the appointment of Anna Jean Breuer to the Basehor Planning Board. Four yes-opposed none. Motion carried.

Goens appointed Tina Christoff to fill the vacancy left by Jane Scherer. J. Ebert moved, second by J. Cook to accept the appointment of Tina Christoff to the Basehor Planning Board. Four yes-opposed none. Motion carried.

Leo Martell, City Engineer, entered.

SCANNED

3-22-07 *lt*

MINUTES:

The minutes of the regular council meeting, July 11, 1978, were approved as printed.

TREASURERS REPORT:

After much discussion it was felt that Ecodyne Smith & Loveless' bill should be challenged as the lift station problem was never corrected. Mr. Waters stated he would notify Ecodyne Smith & Loveless that the city did not feel it was a fair charge as the problem was never corrected. The check was then held back. M. Sterner moved, second by J. Cook that the certificates number 2656 and 2667 be reinvested in the establishment that draws the highest rate of interest. It was decided to invest them for three months. Four yes-opposed none. Motion carried. M. Sterner moved, second J. Cook to accept the treasurer's report and adopt appropriation ordinance #134 with the contingency of the Ecodyne Smith & Loveless payment. Their check is to be voided. Three yes-opposed one (J. Ebert). The reason being the rent check being paid to School Credit Union instead of Sylvia Lovvorn.

PRESENTATION OF PETITIONS & REQUEST (CITIZENS):

RANKIN REQUESTS RELEASE OF BOND MONEY

Dr. Rankin requested release of part of his money on escrow with the city. The Council told him it had been released. He asked when the city would be sending him a bill for the damage done to the street. He was told it had been billed that day.

COUNCIL'S REPORT ON SOLID WASTE DISPOSAL FEE PROPOSAL

M. Sterner gave a report on the disposal fee. There were 60 people on the list that were 65 and over who were called. The questions asked were:

1. Do you think Senior Citizens 65 and over should have a reduced rate for trash pick-up? With 47 yes and 9 saying no.
2. Do you need or want a weekly service or satisfied with less service? There were 25 saying weekly and 25 saying less.
3. Do you favor city billing monthly or quarterly? There were 17 saying monthly and 32 saying quarterly.

A. Landauer, Council person, entered at 8:20 p.m.

It was discussed that the billing clerk would have to keep a close check on the rental property and send a certified letter to the owner of the property that the rental is delinquent and it would go on to their taxes. It would be up to the owner to collect the delinquent bill. J. Cook moved, second by M. Sterner that the city reduce the charge to \$1.75 on Senior Citizens who can qualify under the Homestead Act and makes the proper application, and move the billing to quarterly in advance for everybody. Five yes-opposed none. Motion carried.

REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/CITY ATTORNEY:

REVIEWING ORDINANCES AND PRINTING

Mr. Waters reported on reviewing the ordinances and cost on having them printed in book form. He had contacted both the League of Municipalities and the City of the Public Administration School or the City Managers School at K.U. to see what services they have available to assist the city and which we would get some benefit for and especially from the League since the city pays dues for membership in the League. He would like to follow up on this and make a report on it at the next regular meeting.

LEASE ON FILE AT CITY OFFICES

Mr. Waters stated he had given the signed lease between the City and Sylvia Lovvorn to the City Clerk to have on file at the City Offices. He had also prepared a rental agreement for the Basehor Sentinel or further renters leaving blanks to supply the amounts of rent and date involved.

EARL REAVIS/POLICE ADVISOR:

USED THREE CHANNEL RADIO FOR POLICE CAR

Reavis stated he had located a used three channel General Electric radio for \$150.00. If the department could purchase it they would put it in the blue police car. Then the police department could take the old radio out of the blue car and build a transformer for it and use it in the City Offices as a base radio. Reavis figured the cost to do this would around \$50.00. J. Cook moved, second by A. Goens to approve the purchase of the three channel radio. Four yes-opposed none-abstained-one (A. Landauer). Motion carried. Reavis is to check to see if there is any money available through the Civil Defense to buy a radio. If there isn't money available the City would go ahead and buy it.

LEO MARTELL/CITY ENGINEER:

EPA - APPROVED STEP 1

Martell read a letter from the Environmental Protection Agency stating the city had been granted the amount of \$10,200.00 (75 percent of eligible costs) to help prepare the city's wastewater facility plan. If the City decides to accept the grant the original and one copy of the grant agreement would have to be signed and returned by certified mail within three weeks. The letter also stated the plan of study had been approved and the city could authorize their engineer to prepare the facility plan. The EPA is requiring each applicant to evaluate, in the facility plan, the potential of erosion and sediment control and there is an additional emphasis placed on wastewater reclamation and reuse by land application in accordance with interim regional policy guidance issued March 17, 1978.

RATED 21 ON STEP 2

Martell stated the city is rated 21 on the top priority list for Step 2. Martell stated someone will be going to the hearing August 15 at Topeka and ask for a better rating. M. Sterner recommended that the city proceed on this and ask for a better rating at this meeting. J. Ebert stated he would try to make the hearing.

IS IT A CONFLICT FOR ENGINEER

Martell stated he keeps getting requests from people in this area to act as their professional planner such as buildings not subdivisions. When this comes up Mr. Martell said he wondered if it would be a conflict of interest. It was decided to have the City Attorney to check this to see if there is any conflict of interest for Martell to do the planning and also doing the inspecting. Mr. Waters will make his recommendation report on it at the next meeting.

HARBOUR BROTHERS WORK ON STREET

Martell reported the reason Harbour Brothers had not been sealing the streets were they wanted traffic on them and also were hoping for some rain. Monday, Harbour will start to reblade the streets and add some rock dust to them.

MICHAEL CROW/MUNICIPAL JUDGE:

ASSESSMENT ON MUNICIPAL COURTS

V. Williams reported on a new law that went into effect as of July 1, 1978 requiring court assessments on the municipal court. This month the assessment was \$6.00.

DIRECTED MAYOR TO SIGN GRANT AGREEMENT

Martell said the Council would have to state if they wanted the Mayor to sign the Grant Agreement/Amendment so it can be sent back. J. Ebert moved, second by A. Landauer to have the Mayor sign the agreement. Five yes-opposed none. Motion carried.

WILMA KIBLER/CITY CLERK

BOND FOR MRS. THORNE

The City Clerk reported on the bond for Mrs. Thorne. Mr. Tice stated that a bond for one year is \$20.00 and that there is a minimum charge of \$20.00 on a bond no matter what the amount of time is up to one year. Mrs. Kibler

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told Mr. Tice to cover Mrs. Thorne for the year rather than the two weeks. Mrs. Kibler felt this way if Mrs. Thorne should have to fill in for her during the year due to sickness Mrs. Thorne would still be covered.

NOTICE & COMMUNICATION:

REGISTRATION OF CITY VOTING DELEGATES

Mrs. Kibler stated each year the League sends out a letter asking the city to register two voting delegates. This allows the delegates to vote on the League by-laws. The city has never sent in any delegate cards at all so they are not registered. Mrs. Kibler said this year the convention will be held in Overland Park and wondered if the city would want two delegates to go. They would represent the City in the conduct and management of League affairs. The city can have two voting delegates and two alternates.

68th ANNUAL CONFERENCE & CONVENTION OF VOTING DELEGATES

Mrs. Kibler reported the 68th Annual Conference & Convention is September 17, 18 and 19 and will start 3 p.m. on Sunday. She stated that the registration only: Full Convention without meals for Sunday, Monday and Tuesday is \$35.00; and the Full Convention including the meals is \$50.00. Goens stated the forms will be at the City Offices and if anyone is interested in attending they can get a card and send it in.

NO WATER RIGHT UNTIL JANUARY 1, 1979

J. Cook stated he had something under Notice and Communication. He stated he had talked to Dr. Rankin this week and would like some clarification on it. Dr. Rankin stated in the minutes of the meeting on the Water Board it states they will consider water rights one on one and a comment was made they had never turned a water right down yet. As of the last monthly water board meeting Dr. Rankin stated he was turned down on one water right. He has four water rights, out of the last 11 lots that are finished and ready for sale. He has 7 lots that cannot be sold because he cannot get water rights. The application of a water right will not be considered until after January 1, 1979. Dr. Rankin stated the approval of the Planning Board on his plat was on the stipulation that they consider their water rights one on one. Mr. Warden was asked by the Council if the last water right in Basehor had been given and he replied that at the last water board meeting it was moved that no more water rights be issued until after January 1, 1979 only the ones that had been spoken for would be allowed. When asked if the district was running out of water he said the district was not running out of water and that they were keeping up, but they were not going to run out. He also stated that the Water Board had spent \$600.00 drilling another well but didn't get the well and at the present time the board was pursuing the Board of Public Utilities for water. Warden asked the Council if they felt the board should keep on selling water rights. Cook stated rather than cut consumption the board should go to the other end of the problem and worry about the supply and produce that supply whatever it takes. Even though the board wasn't under any obligation to do so, the Council felt it would have been nice of the board to have notified the Council of their decision. When asked why the City Council wasn't notified of the action taken by the Water Board they were told the board meets once a month and then asked the Council if they go to the board and relay all their situations to them. Warden stated the Water Board feels they are obligated to their members and not to the non-members that are wanting to build now. The Board is obligated to what they have now and should look after it he said. Cook stated that you can't make a private club out of a utility where there is a certain little membership and their needs and wants come prior to the wants and needs and tools of the City. That by refusing a single water right it has been made a private club. Warden stated there are 360 members and it is not a little membership. He also stated that it is not just a single water right that is being talked about now that the board has shut down all the water rights until after the first of the year or until a source of water is

obtained. Cook stated he has an engineering report that was presented to the Water Board in 1972. He quoted the report as saying, "the Board had better get in another water source immediately even if you do put in a tower it is at best a stop gap measure," and that was six years ago that you received the report he said.

INTRODUCTION & CONSIDERATION OF ORDINANCE

SECOND READING AMENDING ORDINANCE 55, SECTION 1 AND SECTION 1 (1)

The second reading of amending Ordinance 55, Section 1 and Section 1 (1) was presented to the Council. The ordinance underlined certain portions of Section 1 and clarified the description of real property as provided in Section 1 (1). A. Landauer moved, second by J. Ebert to approve the ordinance. Five yes-opposed none. Motion carried.

LOT SPLIT ORDINANCE TO PLANNING COMMISSION FOR HEARING

Waters stated the Planning Board has a notice being published now that they are going to consider the lot split amendment to the Subdivision regulations. At the last meeting Waters had made up a proposed ordinance regarding lot splits and was asked to clarify some of the language in it. Waters passed around copies of what he had at the last meeting for consideration and also copies of the modification he had made in Section A and B. He stated the Council did not have the recommendation of the Planning Board and didn't feel the Council could consider it until they had the recommendation.

WAIVED FIRST READING OF BUILDING ORDINANCE AND ACCEPTED IT

Waters presented the Council the building ordinance. The revision and repealing of Ordinance 90 was passed around to the Council for their consideration. This ordinance pertained to the fees that would be charged for a building permit. M. Sterner moved, second by J. Cook to accept the ordinance requiring building permits for construction and alternations replacing Ordinance 90 and waive the first reading. Five yes-opposed none. Motion carried.

SEWER & SOLID WASTE

DELINQUENT SEWER AND SOLID WASTE LIST

The list of the people owing delinquent sewer and solid waste bills was presented to the Council. It was explained that a public hearing would be held September 5 for any that wished to attend that had objections and that there would be letters sent to them also.

SALARY FOR EMERGENCY DRIVER ON TRASH TRUCK

There had been a discussion at the work session on paying Worley when Gatewood is on vacation or sick an hourly rate of \$5.00 to drive the truck. It was asked if there would be a conflict of interest if the Mayor was paid. Waters felt it would be okay. J. Cook moved, second by M. Sterner that any time there is an emergency status on the trash truck and Clarence fills in or actually anyone, for that matter, they be paid the normal rate for service. Three yes-opposed none-abstained-two (J. Ebert, A. Landauer).

POLICE & PUBLIC SAFETY

APPLICANT TO INTERVIEW

Reavis stated he had one applicant for the Council to interview for reserve duty. The Council set the interview for Thursday, August 10 at 6:30 p.m. at the City Offices.

ADJOURNMENT

J. Cook moved, second by A. Goens to adjourn.

Wilma R. Kibler
City Clerk