

# CITY OF BASEHOR

LEAVENWORTH COUNTY  
BASEHOR, KANSAS 66007

unapproved  
8-1-78 CLK

Regular City Council Meeting July 11, 1978  
7:30 p.m. at the Fairmount Township Hall

Council Present: Anna Mary Landauer, Margaret Sterner, Allen Goens.  
Presiding: Mayor Clarence I. Worley.  
Others Present: Douglas Waters, City Attorney; Virginia Williams, City Treasurer; Wilma Kibler, City Clerk; Earl Reavis, Chief of Police; citizens of the community.

## PROPOSED USE HEARING ON THE REVENUE SHARING

The Mayor called the meeting to order on the Proposed Use Hearing on the Revenue Sharing for any comments or suggestions from the citizens. He explained what the funds would be used for and approximately the amounts that would be used. Since there were no comments or suggestions A. Goens moved, second by A. Landauer to close the meeting. Three yes-opposed none. Motion carried.

## REGULAR MEETING CALLED TO ORDER

The regular meeting was to be held on July 4 but since that was a holiday the Council voted to move the meeting to July 11.

The regular meeting was called to order by the Mayor.

## MINUTES:

The minutes of the regular council meeting, June 6, 1978, were approved as printed.

## TREASURERS REPORT:

The treasurer's report was presented for consideration. The Mayor stated that next month on the treasurer's report the amount of \$301.50 would have to be put into the Special Highway instead of the Solid Waste Fund, also the \$30.00 would have to be put into the Special Highway instead of the Solid Waste Fund. It was discussed why the check for the rent was made out to the School Employees Credit Union instead of Sylvia Lovvorn since she was the one the City was renting the building from. M. Sterner moved, second by A. Landauer to use c.d. #2708 due July 29 for \$10,000.00 to pay the bond and interest payment. Three yes-opposed none. Motion carried. The City Treasurer brought to the Council's attention that there would be another bond and interest payment of approximately \$7,000.00 due next month. A. Goens moved, second by M. Sterner to accept the treasurer's report and adopt appropriation ordinance #133. Two yes-opposed one (A. Landauer). Motion carried. Councilperson Landauer stated she felt the rent check should have been made out to Sylvia Lovvorn so the City would know that she is getting paid for the rent of the building. After much discussion on this matter the Mayor asked Sterner and Goens if a notation of Mrs. Lovvorn's name on the check would be okay. Sterner stated it made no difference to her and Goens said it was okay with him.

## PRESENTATION OF PETITIONS & REQUEST (CITIZENS):

### CITIZENS PROPOSAL TO COUNCIL ON SOLID WASTE DISPOSAL

Pete Ruddick, an attorney from Olathe who had represented some of the people on the litigation against the City and County of Leavenworth the past several years on the solid waste disposal fee, was present to represent the people at the Council meeting. He asked the Council to study the proposal for possible exemption or two to the present ordinance that the people feel would be fair

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to certain members of the community. The one page statement consisted of three different subjects. Under number I, he stated part of two Kansas Statutes pertaining to solid waste disposal system and part of a Basehor ordinance. These pertained to individuals hauling their own trash and levying fees and charges on persons receiving service. Under number II, he stated the practices that were used in the neighboring cities. Under number III, he stated five proposals for fee changes for the Council to study.

8:08 p.m. Leo Martell, City Engineer, entered.

The Council discussed this proposal but felt there should be a work session on it before any decision was made. The Mayor stated he would like to see all of the Council present at the work session if possible. The Council set July 21 at 7:30 p.m. at the City Offices for the work session but the clerk was to check with the other two members of the Council to see if they could be present. Mr. Ruddick was told that hopefully by next month there would be some type of an answer for them.

REPORT OF CITY OFFICIALS:

DOUGLAS WATERS/CITY ATTORNEY

REVIEW ORDINANCES

The Mayor asked the Council what their thoughts were on Mr. Waters reviewing the present ordinances and making the necessary changes that need to be made so the ordinances would be up to date. The Council felt it needed to be done but would depend on the fee. Mr. Waters stated he would have to study the situation before he could decide how to charge his fee. Mr. Waters also recommended that the ordinances be printed so each official could have a loose leaf bound copy for their own use. Waters asked the Council's direction to check with some printing establishments to see how much it would cost to have approximately ten copies printed. The Council so directed.

SHERIFF CAMPBELL'S LETTER ON TITLE CHANGE FOR THE CHIEF OF POLICE

Waters read a letter to the Council from Campbell stating the General Order #1-40 did not prohibit any full time Sheriff Department officer from being employed part time in capacities where there is no commission or legal authority involved. The policy was amended to omit the stipulation that would prohibit officers from being employed by other police agencies. It will allow officers to receive compensation from small cities to serve in advisory position. M. Sterner moved, second by A. Goens that the City employee Earl Reavis as police advisor instead of police chief. Three yes-opposed none. Motion carried. Reavis stated the way he understood the letter if any calls came in he would not be able to handle them, the only way he could handle them was to be on duty for the County at the time. As police advisor he would no longer be available for patrol, answering calls or making arrests. The only things he would be allowed to do would be the book work and scheduling. After this was pointed out to the Council they decided it needed to be discussed further. M. Sterner withdrew her previous motion and A. Goens withdrew his second to the motion. The Council asked Reavis if he could give them a break down on how many hours would be involved now compared to what he was involved in before. This way the Council could come up with a figure for a salary for police advisor. It was also felt that the entire Council should be present to decide on the matter. A. Goens moved, second by M. Sterner to use Earl Reavis as an advisor for the next 30 days, at that time hope to have a decision. Three yes-opposed none. Motion carried.

EARL REAVIS/CHIEF OF POLICE

APPROVAL TO PURCHASE RAINCOATS

Reavis requested the Council's approval to purchase two raincoats for the police department to be kept in the police car. The price would be approximately \$30.00 each. A. Goens moved, second by M. Sterner to allow the purchase of the raincoats.

LEO MARTELL/CITY ENGINEER

SOUTH LAGOON METER ARM WELDED

Martell stated the south lagoon meter had to be taken to the company that sold it to the City to have the arm welded back in. This was done without a charge.

EPA GRANT

Martell felt that the EPA is about ready to process the grant.

QUARTERLY REPORT ON NORTH & SOUTH LAGOON

Martell stated on the quarterly report the BOD is higher then is allowed but the result of the Leavenworth test on the EPA sample is back down to normal. Martell doesn't feel one bad report would get the City into trouble that it would have to be two bad reports in a row.

HARBOUR READY TO WORK ON STREETS

Martell talked to Harbour and he wanted to know if the streets would be ready for him to work on them by July 19. The Mayor felt that they would be.

REQUEST DENIED - RANKIN'S BOND MONEY

Rankin called Martell and was requesting some of his grading money released on his escrow. Martell figured it would cost around \$2,000 to cover the rip-rap and felt that amount should be held back until the job was completed. He asked the Council if they would allow Rankin to have \$1,500 of the \$3,500. After much discussion among the Council they decided to hold the complete \$3,500 until the job was done.

QUESTIONING SIZE OF HOUSES IN LANDAUER SUBDIVISION

Martell stated he had received a phone call from Myron Burns questioning the size of DeGraw and Bilyk's houses in Landauer Subdivision. Mr. Burns felt they did not meet the required size stated in the plat. After Martell checked the houses he found both houses met the required size and were actually larger then what was required.

MICHAEL CROW/MUNICIPAL JUDGE

JUNE COURT REPORT

The June court fines were \$260.00

WILMA KIBLER/CITY CLERK

CHECK ON BOND FOR MRS THORNE

The Mayor informed the Council the City Clerk will be going on a two-week vacation in August and he had asked Mrs. Thorne to work those two weeks. He asked the Council if they felt Mrs. Thorne should be bonded while in the office. The Council agreed that she should be. The City Clerk was to check with the insurance company to see if Mrs. Thorne can be bonded for just the two weeks or if it would have to be for a longer period of time.

INTRODUCTION & CONSIDERATION OF ORDINANCE

ORDINANCE #124 WAS ADOPTED - UNIFORM BUILDING CODE OF 1976

The ordinance repealing Section number 1 of ordinance number 112 regarding the adoption of the Uniform Building Code of 1976 was given for the second reading. A. Landauer moved, second by A. Goens to waive the second reading and adopt the ordinance. Three yes-opposed none. Motion carried. The number 124 was assigned to the ordinance.

TWO PROPOSED ORDINANCES ON BUILDING PERMIT FEES

Waters presented to the Council, for them to study, two proposed ordinances pertaining to the building permit fees. The first ordinance set a dollar value per square foot on a new construction as well as charging so much for anything with so many dollars per \$1,000 as a minimum. The second ordinance was a specific building permit fee for: 1. single resident; 2. duplex; and 3. commercial structures, besides a set fee of so much per \$1,000. After much discussion the Council decided to allow the City Engineer to set the amount to be paid per square foot. He will base the charge of the amount on the information he receives from the loan companies. They also decided to leave the \$3.00 per \$1,000 with a minimum of \$15.00 on minor structures like garages and sheds and a \$35.00 minimum charge on houses. There will be a permit required on demolition of a building or a structure but without a fee charged. Waters will draft another ordinance to present to the Council at the next meeting.

ORDINANCE AMENDING SECTION 1 & SECTION 1 (1) OF ORDINANCE #55

An ordinance amending Section 1. and Section 1 (1) of Ordinance No. 55 of the City of Basehor, Kansas, underlining certain portions of Section 1 and clarifying the description of real property as provided in Section 1 (1) was presented to the Council for the first reading. M. Sterner moved, second by A. Goens to waive the first reading and accept the ordinance. Three yes-opposed none. Motion carried.

PROPOSED LOT SPLIT ORDINANCE

Mr. Waters presented to the Council the proposed ordinance on lot split. He drafted it according to the recommendations made by the Planning Board through Robert Hrabak. After much discussion it was decided to send it back to the Planning Board with a recommendation. A. Goens had one recommendation and it was that a platted subdivision that was platted before the new subdivision rules and regulation could not apply.

FINANCE & ADMINISTRATION

ADVERTISE OFFICE SPACE FOR RENT

The Mayor told the Council he felt they should decide what should be done with the office space available at the City Offices. He asked if they wished to advertise it for rent and what price to set for the rent. It was decided to let the newspaper have first option on what office space they would like to rent and advertise the remaining one. It was decided to asked \$70.00 for the smaller room and \$95.00 for the larger room with the City pay the utilities. The Council also felt whoever rents the spaces should sign a one year lease.

PROBLEMS AT LIFT STATION

The Mayor informed the Council that there will probably be a large expense next month on the lift station as there has been quite a lot of work done on it. In the process of lifting the lift station to put the check valves in there was a pipe broken. Then a back-hole was needed to dig it out so a new pipe could be put in. The check valves were put in backward and had to be turned around. After all this was done it still didn't work so now the Right-Way Construction Co. is working on it. They have found that there is nothing wrong with the pump but it is the vaccumn pump. Also there is a wire in the wrong place causing the alternating relay to kick on all the time and burning it up.

LETTER FROM LINWOOD ON POLICE PROTECTION

The Mayor read a letter from the Mayor of Linwood asking if Basehor would be interest in working together as a unit to present a possible solution

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to the problem of police protection to the Leavenworth County Commissioners. The Mayor had told the City Clerk to call Linwood and tell them Basehor had no problems.

KANSAS EMERGENCY OPERATION PLAN FOR LEAVENWORTH

The Mayor informed the Council the Kansas Emergency Operation Plan for Leavenworth had been updated and the pages were in the City Offices if the Council wished to look at them.

ADJOURNMENT

A. Goens moved, second by A. Landauer to adjourn.

*Wilma R. Kibler*  
Wilma R. Kibler  
City Clerk