

CITY OF BASEHOR

LEAVENWORTH COUNTY

BASEHOR, KANSAS 66007

approved 10/4/77  
WEX

Regular City Council Meeting September 6, 1977  
7:30 P.M. at the Fairmount Township Hall

Council Present: Margaret Sterner, Anna Mary Landauer, 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, George  
Kibler, Police Dept., citizens of the community.

MINUTES:

The minutes of the regular council meeting August 2, 1977 and the special council meeting August 19, 1977 were approved as printed.

TREASURERS REPORT:

A. Landauer moved to reinvest cert. #2372 due 9/4/77 for \$20,000.00 with the First State Bank in Tonganoxie. M. Sterner gave a second to this motion. Five yes-opposed none. Motion carried. Moved by A. Landauer, seconded by M. Sterner to reinvest cert. #923 due 9/1/77 for the amount of \$10,727.15 in a 90 day CD at Citizens Mutual Savings & Loan Assoc. in Basehor. Five yes-opposed none. Motion carried. Moved by A. Landauer, seconded by J. Cook to reinvest cert. #1127 due 9/9/77 for the amount of \$10,025.38 in a 90 day CD at Citizens Mutual Savings & Loan Assoc. in Basehor. Five yes-opposed none. Motion carried.

J. Cook questioned a \$36.00 disbursement on the treasurers report which was for two hours of survey work on the ditches in front of the J. Ebert property. J. Ebert stated he had called Martell but had not asked Martell to come to his home. Martell backed his statement. Cook accused Ebert of costing the city \$36.00 and over stepping his office. Ebert denied the charge. The Mayor asked that a matter of public record be made of the \$36.00 charge and that Leo Martell also make a notation of the amount. Councilman Ebert asked that it be made a matter of record that there was nothing more done over there (front of his property) than was not done on 15<sup>th</sup> Terr. and Olive. J. Cook then asked that it be put on record that on Saturday morning you (Ebert) parked your truck across the ditch so as to hamper the city work that was being done and carried two shocks around all morning. J. Cook moved that the treasurers report not be approved as long as the disputed charge was on it. The motion died from a lack of a second. A. Landauer moved we accept the treasurers report and to adopt appropriation ordinance #123. A. Goens gave a second to this motion. Four yes-opposed one, J. Cook. Motion carried.

PETITION AND REQUESTS:

HEINEN - SOLID WASTE

A letter from Mr. and Mrs. Mark Heinen stating they did not feel they should have to pay the balance due on their solid waste bill. No action taken.

WATERS REPORT:

MAINTENANCE OF 155th ST. - LEAVENWORTH COUNTY COMMISSIONERS

Waters was informed by the County Commissioners that Basehor was on the 1978 work schedule program for maintenance work on 155th Street and if money became available they would do some heavier construction. Mike Sachse and the County Engineers is checking to see what additional funds would be available to Basehor at the federal or state level.

FIRST READING OF ORDINANCE - REMOVAL OF ANY MEMBER ON THE CITY PLANNING COMMISSION

Attorney Waters presented a proposed ordinance for the removal of members of the City Planning Commission on their unexcused absences from City Planning Commission meeting. Following the first reading by Waters, J. Cook moved, seconded by A. Goens to accept the first reading. Four yes-opposed one, J. Ebert. Motion carried. Discussion followed.

SCANNED

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YOUNG - REMOVED FROM CITY PLANNING COMMISSION

A. Goens reported he had talked with Mrs. Pat Young about missing so many meetings. Mrs. Young felt Cook was "picking on her" because of school matters and there were other reasons for taking her off of the Commission. Mrs. Young stated she would be moving out of town shortly and should go ahead and resign. Checking into Mrs. Young's attendance record J. Cook reported she had missed 5 out of 12 meetings over a years period. J. Cook moved, seconded by A. Goens to remove Mrs. Young from the Planning Commission for good cause shown. Four yes-opposed one, A. Landauer. Motion carried.

COUNTY ENGINEER'S LETTER - 20 FOOT MINIMUM LENGTH TUBE

Waters stated that he would notify Mr. Sachse that the Kansas Statute he cited about the 20 foot minimum length tube applies to the county and state but not to Basehor. Basehor is covered under the Kansas Statute for third class cities.

HICK'S RESIDENCE - EXTENTIONS ON DRIVEWAY TUBE

A. Landauer brought to the Council's attention about receiving a phone call at her home concerning Kathryn Hick's residence where Mrs. Hick's sister is now living. The sister would be willing to pay for the extentions on her driveway tube if the city would install them. The Council discussed and felt that if a person wanted their driveway tube extended they would have to get the Council's approval, buy the extention, and pay the city employees labor for installing the tube.

McCLEARY EASEMENT AND LOT SPLIT

Mr. and Mrs. Pat McCleary had informed Waters they will present the right-of-way easement and lot split at the next meeting of the Planning Commission. If the Planning Commission should make any recommendations McCleary would like the Council to consider them.

SOLID WASTE DISPOSAL SYSTEM LAW SUIT

Waters brought to the Council's attention of receiving a letter from the lawyer representing the people suing the city for the solid waste disposal system fees. They are planning to appeal a Leavenworth County District Court decision in favor of the city to a higher court.

SEWER AND SOLID WASTE - TAX ROLLS

The Council agreed that any delinquent sewer and solid waste accounts over \$20.00 would automatically be put on the owner's real estate tax each year without having to vote on it. Waters was given 22 names to put on the tax roll.

RESOLUTION NO. 5 - 2 MILL LEVY

Since the 30 days has passed on the 2 mill levy (Resolution No. 5) and Waters had not received any notification of a referendum petition to recall it. This now can be figured in the budget.

OPEN LAW MEETING

Waters presented a copy of the amendments to the open meeting law passed by the '77 legislature. Waters will have copies for the Council at the next meeting.

POLICE REPORT:

George Kibler asked that six intoximeters be purchased at \$7.95 each to be used at the sheriff's dept. He also requested a winter coat for Gatewood which would cost around \$50.00. J. Cook moved, seconded by J. Ebert to accept both requests. Five yes-opposed none. Motion carried. A. Landauer questioned if the Chief of Police had a uniform. The city had never purchased a uniform for him. It had been decided by the Council sometime ago that it wasn't necessary for him to have one. Kibler stated a uniform

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would cost around \$350.00. It was again decided a uniform was not necessary.

MARTELL REPORT:

Martell stated there had not been a final figure decided on for the road work that has been done.

DILLON CHARGED FOR ROCK

The Mayor informed Martell and Council that the city had billed Mr. Dillon for 38 ton of rock at \$5.00 a ton as that was what was necessary to get Cedar Street ready to be sealed.

TRAFFIC SIGN

A. Goens brought it to the Council's attention that Cedar Street needed a stop sign and a dead end street sign. The Mayor also stated the city needs a 40 mile an hour sign and around a dozen posts for signs.

STREET SIGN HIT BY CAR

M. Sterner then stated the street sign post on Poplar had been hit by a car and broken off. It was decided to send the bill for the cost of the post plus cost of labor to repair it to the person responsible, since a vehicle accident report had been made.

TRAFFIC SIGN - CONTINUED

The Mayor asked if Council wished to order signs and posts. A. Goens moved and seconded by A. Landauer that we order the dozen posts and whatever signs the city needs. Five yes-opposed none. Motion carried.

DEAD TREE 142nd STREET

A. Landauer reported on the removal of the dead tree on 142nd Street. She had called Thornes Tree Service in Tonganoxie. Their bid was \$225.00. Don Drew Tree and Lawn Service in Kansas City, Kansas said they had too heavy of a work load at this time. Mr. Harry Leonard has no way of hauling it away. Council was directed by the Mayor to think about the figure.

MARTELL REPORT CONTINUED:

Leo Martell then continued his report on the road work with the following figures: Seal coating, \$6,875.00; rock, \$5,968.00; machine work on the hump in Ripley Street, \$100.00 bring the cost to \$12,943.00.

BUILDERS CHARGED FOR CLEANING DITCHES

The Mayor asked Martell to check on some of the builders as they were filling the grader ditches during construction. The city is then having to go back and clean them out. If the Council agreed the builder would be charged for cleaning the ditch. Council agreed.

STEP 1 EPA

Martell presented a formal document from the state requiring the Mayor's signature, as he had been authorized to sign the document.

MUNICIPAL COURT REPORT:

Mayor Worley presented the August report.

NOTICE AND COMMUNICATIONS:

LETTER FROM DEPARTMENT OF HEALTH AND ENVIRONMENT

A letter and inspection report from the Department of Health and Environment concerning recommendations to help operate and maintain the north and south lagoons. M. Sterner asked if a letter had been written to the Forestry, Fish and Game Commission about the muskrat problem. It had been.

LEAGUE OF KANSAS MUNICIPALITIES - DELEGATES

Letter from League of Kansas Municipalities asking each member city to file the registration cards designating two voting delegates and two alternates with the League office. The 67th Annual City Convention of the League will be in Wichita on October 9, 10, and 11. After questioning the Council it was found no one would be able to attend.

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LETTER FROM DEPT. OF ADMINISTRATION - SURPLUS PROPERTY

A letter from the Dept. of Administration, Division of Purchases, Surplus Property Section stating the city will be eligible to acquire federal surplus property for public purposes after October 17, 1977. There will be a meeting to explain the program on September 19 at Lawrence.

CASSETTE TAPES ON COUNCIL MEETINGS

The Council discussed how long the tapes should be kept on file. M. Sterner moved, seconded by J. Cook that after the minutes have been approved unless otherwise told to keep the tapes they should be erased and reused. Four yes-opposed one, A. Landauer. Motion carried.

NUISANCE AND ABATE LETTER

A nuisance and abate letter on Ordinance #10 should be sent to Mr. Shuck at his request.

NOTICE OF HEARING - DON ROBERTS LIQUOR LICENSE

The Mayor read a notice of hearing from the Alcoholic Beverage Control Division concerning Don Roberts application for a retail license to sell alcoholic liquors.

ORDINANCES:

ELECTRICAL PERMIT FEE

The Mayor asked the Council to consider changing the electrical permit fee. A. Landauer and A. Goens are to work as a committee with Doug Waters on the existing ordinances to see what will need to be done. They will also be working with Mr. Waters on setting the cost of the electrical permit fee.

SEWER AND SOLID WASTE:

SOLID WASTE TRUCK PURCHASING FAILED

The Mayor reported on a solid waste truck for the Council to consider purchasing. It was a '71 International, cab over engine, for \$2,250.00 and a packer body for \$400.00 with the needed accessories the cost would be approximately \$3,000.00 complete. Discussion followed with J. Cook moving, seconded by M. Sterner to purchase the trash truck, body, and accouterments. Two yes-opposed three, A. Landauer, J. Ebert, A. Goens. Motion failed.

POLICE AND PUBLIC SAFETY:

OFFICER WORK MORE HOURS

The Mayor reported since the police were short of men Reavis, Chief of Police, had asked to be allowed to work one of the officers (Gatewood) more hours as he was willing to do so. The Mayor felt as long as it wasn't a hardship on the budget and the Council approved Reavis could go ahead. The Council approved.

There being no further business the meeting was adjourned at 9:30 p.m.

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