

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

SCANNED

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City Council Meeting September 7, 1976

Council Members Present: Mayor Clarence Worley Council-David Cochran,
Margaret Sterner, Allen Goens, Anna Mary Landauer,
John Ebert.

Others Present: Doug Waters, City Attorney; Richard Warden, City Treasurer;
Sylvia Lovvorn, City Clerk; Leo Martell, City Engineer;
citizens of the community.

Meeting was called to order by Mayor Worley with several statements to those in attendance, "last month's meeting was a disaster, if you have any thing to say you will raise your hand and be acknowledged. If you get out of line you will be asked to leave. Any interruptions, you will be asked to leave. We will not deny any one the right to ask questions and the council will answer if they can and if there is order in the room".

APPOINTMENT TO PLANNING COMMISSION

Mayor Worley then recommended the appointment of Mr. Glen Hubbel to return to the Planning Commission. J. Ebert moved this appointment be accepted. A. Goens gave a second to this motion. Five yes-opposed none. Motion Carried.

RESIGNATION OF BUILDING INSPECTOR

The resignation of Raymond Godard as building inspector was then considered. D. Cochran moved that this resignation be accepted. J. Ebert gave a second to this motion. Five yes-opposed none. Motion Carried

APPOINTMENT OF CITY TREASURER

Mayor recommended council confirm the appointment of Virginia Williams as the new City Treasurer. M. Sterner moved this appointment be accepted. D. Cochran gave a second to this motion. Four yes-one no (Landauer). Motion Carried.

MINUTES

Minutes of the regular August 10th Council meeting were considered. D. Cochran moved to accept as printed the August 10th minutes. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried. Minutes of the Special Council meeting held August 6th were considered. A. Landauer moved to accept these minutes as printed. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried. J. Ebert ^{questioned} challenged the insertion to the August minutes of the council poll taken July 13, 1976. Much discussion followed. ~~Mr. Ebert stated that he did not want to be polled on such a matter as this again. No action.~~

TREASURERS REPORT

Warden stated that the full amount from checking balance can not be transferred because it would close out the account, so he transferred \$7,150.00 leaving a balance of \$5.00 to allow the account to remain open. Also stated that from now on the Revenue Sharing check will be mailed directly to the bank, this will save postage and handling and danger of being lost. Further stated that the Municipal Court report and the time for the reserve officers should be turned in sooner each month. The lateness of these two items makes it difficult for the treasurer. Mayor will attend to this matter. Mayor asked the city engineer to submit a monthly bill to the city for any building inspection that is done so the city will know at all times where we are on inspection expenses. Discussion followed concerning a building inspector with M. Sterner suggesting that funds might be available through CETA. Clerk was directed to contact Roy Coleman on the matter. When asked what his fee was for building inspection Martell stated \$18.00 for his services and \$15.00 for his men. This is on a per hour basis. J. Ebert questioned the long distance phone calls averaging \$1.00 per day. Discussion followed with Warden presenting Ebert the itemized list that comes with the phone bill. M. Sterner then moved to accept the

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city council minutes 9-7-76 continued the treasurers report and that appropriation Ordinance #112 be adopted. A. Landauer gave a second to this motion. Five yes-opposed none. Motion Carried.

KLINKENBERG REQUEST TO OPEN CEDAR STREET

The City Clerk then read a letter received from Mrs. Naomi Klinkenberg asking if Cedar street could be opened to serve two lots she wished to sell. Waters stated that this can be handled two ways: 1. council calling a public hearing to form a benefit district. 2. Landowner's petition for a benefit district. Discussion followed with Mrs. Klinkenberg asking for a private drive way only. Waters then recommended that this matter be referred to the Planning Commission for further study. Waters went on to say Mr. John Landauer could protest a private drive, should this be allowed. After much discussion M. Sterner moved that this matter be sent to the Planning Commission for consideration. A. Goens gave a second to this motion. Five yes opposed none. Motion Carried.

BARTKOWSKI CHALLENGES TREASURERS APPOINTMENT

Mr. John Bartkowski appeared to challenge the appointment of Virginia Williams as City Treasurer since she also handles the city's sewer and solid waste billing. His concern was control on sewers and conflict of control. He was told the city auditor, Wayne Wolf would be contacted for an opinion.

NOVAK ASKED TO BE RECONGNISED

John Novak asked to be recongnised later in the meeting when Ordinance #34 Section 6 was discussed.

WARDEN REQUEST FOR RURAL WATER DISTRICT #4

Warden stated that the Water District is in the process of up grading the district's lines and are requesting permission to lay lines that would connect all dead end lines at 153rd Terrace and 154th Terrace. Following much discussion Mr. Warden was asked to present plans for this job to the City Council.

WATERS ASKED COUNCIL DIRECTION CONCERNING BOB LANDAUER

Waters asked Council for their direction concerning the Robert Landauer matter of a driveway tube. His question was "do you want this pursued to a higher court?" Mayor Worley stated that he had gone to the Landauer home September 4th asking again if they would put in the larger tube. He said Mrs. Landauer stated she felt that they should be exempt from any action and that the city should prepare a strong ordinance so that no one else could do what they did. Much discussion followed. Waters again asked Council if they wanted this to go to a higher court for damages and restitution to the City. Discussion continued with the Mayor stating that he had asked the City Engineer to begin to draw up street specifications for Basehor. The Mayor continued that he felt all must conform or no one has to conform. Mayor Worley then asked that the council be polled concerning the Bob Landauer matter as to what action the council wished: continue to a higher court or drop any further action. Discussion followed. Mayor Worley stated that he had asked Mr. Landauer if he would buy a 12" tube and the city would put the tube in. J. Ebert then asked Waters to explain the Municipal Court action taken against the Landauer's. This was done followed by a motion by D. Cochran that no further action be made on the Landauer matter at this time. J. Ebert gave a second to this motion. Two yes-Two no and one abstaintion. At this point Kathy Borushaski interrupted and said she could not hear how the council voted. Mayor directed the clerk to poll the council: Landauer-abstained, Sterner-no, Ebert-yes, Goens-no, Cochran-yes. Waters stated that without statutes advice he would not advise as to whether or not there is a tie. D. Cochran moved the matter of final action be held until the October meeting. Before the second could be given Dale Stephens stood and ask Waters if the Landauer's could sue the City of Basehor? Waters informed Stephens that the Landauer's had an attorney they would need to consult with him. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried. At this point Mr. Ebert stated that he will never be polled

again by phone on such a matter.

RESOLUTION #3

Waters presented Resolution #3 for City Salaries for first reading. M. Sterner moved to accept this resolution as presented. A. Landauer gave a second to this motion. Five yes-opposed none. Motion Carried.

BREUER WEEDS

Waters asked if the weeds on the Ray Breuer property had been cut to satisfaction. Discussion followed with council's decision they had been cut properly.

LETTER'S TO ABATE NUISANCE

Mayor Worley informed council of a brush pile behind the rent house belonging to Fred Scheller and also of a large tree that is dangerously loose in the ground. Mayor recommended that the letter state Mr. Scheller will have 10 days to correct the matter or the city will clean up the nuisance and bill him. Council agreed to this action. Mayor Worley also directed a letter to Mr. John Landauer for weeds on his property in south Basehor.

REAVIS REPORTS

Chief Reavis stated that the city patrol car needs a break job which could cost \$150.00. A. Landauer moved that this amount be allowed. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried. Reavis also reported the big trucks are not coming into Basehor to pay fines at the post office. Reavis asked for one or two more reserve officers. Following much discussion J. Ebert moved approval of one appointment for reserve office for a temporary position. D. Cochran gave a second to this motion Five yes-opposed none. Motion Carried.

ANIMAL CONTROL REQUEST FOR RAISE

Carolee Gabel, animal control officer, is asking for a \$40.00 per month raise. Following some discussion A. Landauer moved this matter he held until the contract is due for renewal. A. Goens gave a second to this motion. Five yes-opposed none. Motion Carried.

FLOW METER'S

Martell stated that the flow meters are in and are needing some adjustments.

CITY INSPECTOR

Discussion followed concerning the lack of a city inspector. M. Sterner suggested that Mr. Coleman with CETA be contacted to find out if funds are available to pay for this position. Council agreed that an ad should go in the paper concerning the position being open.

COUNTY COMMISSIONERS REPLY TO NEED ON PARALLEL

Mayor Worley read a letter from the County Commissioners stating the county will make the necessary changes and the city will maintain the new signs on 155th St. and Parallel.

NATIONAL ELECTRICAL CODE-ORDINANCE #108

The National Electrical Code for 1975 was given the second reading. J. Ebert moved to adopt this Ordinance #108 on the second reading. A. Landauer gave a second to this motion. Four yes-one no (Cochran). Motion Carried. Clerk was authorized to order two more copies and reimburse Mr. Conaway for the copy he gave the city. A. Landauer moved that a fee of \$5.00 per house for electrical work being done be adopted. M. Sterner gave a second to this motion. Three yes-2 no (Cochran-Ebert). Motion Carried. Waters will draft an ordinance concerning electrical fees for the October agenda.

ORDINANCE #109-RICKEL STREET NAME

Ordinance #109 was given the second reading. This ordinance deals with a street name in Rickels Subdivision. D. Cochran moved to adopt Ordinance #109 on the second reading. A. Landauer gave a second to this motion. Four yes-one no (Ebert). Motion Carried.

ORDINANCE #110-ESTABLISHING STREET NAMING, STREET NUMBERING, HOUSE NUMBERING

Ordinance #110, an ordinance establishing a street naming, street numbering and house numbering system for the City of Basehor, was given the second reading. D. Cochran moved that Ordinance #110 be adopted on the second reading.

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A. Landauer gave a second to this motion. Four yes-one no (Ebert). Motion Carried.

CHANGE IN ORDINANCE #34 SECTION 6 CONSIDERED

Much discussion followed with citizens making comments concerning this ordinance. This change would allow the council to use excess sewer funds in the general fund. Waters stated that he could find no provisions in the statutes to support such a change in the ordinance. D. Cochran moved to table this matter. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried.

ORDINANCE AMENDING SECTION 20.1 OF ORDINANCE NO. 75 REGARDING ZONING & PLANNING

An Ordinance amending Section 20.1 of Ordinance #75 regarding the zoning and planning code of the City of Basehor, was given the first reading. M. Sterner moved to accept the first reading of this ordinance. A. Goens gave a second to this motion. Five yes-opposed none. Motion Carried. M. Sterner moved to adopt the Uniform Plumbing Code 1973 on the first reading. Motion withdrawn.

ORDINANCE CONCERNING UNIFORM BUILDING CODE, UNIFORM HOUSING, UNIFORM PLUMBING

Waters then presented an ordinance authorising the adoption of the Uniform Building code, the Uniform Housing code, the Uniform Plumbing code, and the Uniform Mechanical code and repealing Ordinances No. 9, 17, and 36 and any and all other sections in conflict therewith. This ordinance was passed around to the council. D. Cochran then moved to accept this ordinance on the first reading. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried.

DILLON REQUESTS BUILDING PERMIT

Ray Dillon appeared with a drawing and request for a building permit in south Basehor zoned I-2. Following much discussion D. Cochran moved that this matter be referred to the Planning Commission. A. Landauer gave a second to this motion. Five yes-opposed none. Motion Carried.

FINANCE & ADMINISTRATION

A. Landauer reported that 12 samsonite chairs had been delivered to the city office.

SEWER & SOLID WASTE

Mr. Ebert asked that this matter be tabled.

D. Cochran moved this meeting be adjourned. M. Sterner gave a second to this motion Five yes-opposed none. Motion Carried.

Sylvia Lovvorn
Sylvia Lovvorn
City Clerk