

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

unapproved 52

City Council Meeting November 4, 1975

Council Members Present: Mayor Clarence Worley Council-David Cochran,
John Ebert, Anthony LoScalzo, Margaret Sterner,
Anna Mary Landauer

Others Present: Doug Waters, City Attorney; Richard Warden, City Treasurer;
Leo Martell, City Engineer; Sylvia Lovvorn, City Clerk;
Raymond Godard, City Inspector; Robert Raines, chairman of
the Planning Commission; Attorneys Higgins and Bingham,
citizens of the community.

Mayor called the meeting to order.

MINUTES APPROVED

Minutes were approved as printed.

TREASURERS REPORT

Treasurers report was then considered with a motion from D. Cochran to re-invest \$20,000.00 for 90 days in certificates of deposit at the First State Bank in Tonganoxie, Kansas. A. LoScalzo gave a second to this motion. Five yes-opposed none. Motion Carried. D. Cochran then moved to accept the treasurers report and adoption of appropriation Ordinance #102. M. Sterner gave a second to this motion. Five yes-opposed none. Motion Carried.

MAYOR PROCLAIMS CAMP FIRE CANDY WEEK

Mayor Worley then read & signed a proclamation for the Camp Fire Girls, proclaiming the week of November the 17th as Camp Fire Candy Week.

LETTER FROM THE PLANNING COMMISSION

Council then read a letter from the planning commission concerning the Chance building permit. Much discussion followed with Raines asking the council if they will continue to allow building permits to be issued in the south Rickel area? Raines was told the council was unaware of the Chance request until they appeared at the council meeting. Mayor Worley then ask Raines if the council could be informed by letter when a request for building permit in this area is made of the planning commission. Raines stated that land can only be forced to be platted by holding up permits. Raines further stated that the square foot requirments for housing is being studied by the commission and will be presented at the December meeting.

FINAL APPROVAL-RICKEL SUBDIVISION #4

Leo Martell, City Engineer, submitted his letter of certification to the council "In compliance with item a.2. Section 3.1 Final Plat Procedure, I hereby state that the final plat is substantially in accord with the preliminary plat as previously approved by the Planning Commission". Martell further stated that a preformance bond is no longer needed, that all improvements have been made. Martell went on to stipulate this approval only deals with the 23 lots as shown on the final plat. Question was raised concerning sidewalks in the area. Much discussion followed with a request to have Mr. Raines return to the meeting. David L. Higgins, attorney for Mrs. Rickel appeared to encourage the council to approve this plat by stating "we have nothing to lose by a suit against the city if this is not approved?" Mayor Worley ask Chief Reavis to go get Mr. Raines back to the meeting. While waiting for Mr. Raines to return the meeting continued.

ATTORNEY WATERS-reports

Waters reported there had been no further correspondance from the attorney for Mr. Whitsell. On the septic system on the property belonging to Owen Sulley, Waters reported the office of the County Attorney has requested facts from the Health Department, but due to the illness of Ben Boyer has not received any.

SCANNED

3-23-07 *st*

TOWNSHIP AGREEMENT-FIRE HOSE

Waters read the agreement to council concerning the city buying fire hose and nozzle. Due to a raise in price the cost now is \$2,045.00. M. Sterner moved to accept this agreement. A. Landauer gave this motion a second. Five yes-opposed none. Motion Carried. D. Cochran then moved that the difference in the approved amount of \$308.00 be taken from the Revenue Sharing funds to complete this purchase. A. LoScalzo gave a second to this motion. Five yes-opposed none. Motion Carried.

RAINES-reappeared

Raines was asked if sidewalks were waived by the Planning Commission when Rickel #4 final plat was approved. Much discussion followed. Higgins again made the request the council accept Rickel #4. Waters stated the city is bound by this plat and felt sidewalks could not now be required. Ebert moved second by LoScalzo to accept Rickel #4 Final Plat. Raines then sighted Section 5.A stating Improvements are spelled out in this section of the ordinance. Discussion was interrupted with Higgins calling for a point of order and demanding a vote of the council. Mayor then directed the clerk to poll the council: A. Landauer=yes, M. Sterner=no, J. Ebert=yes, A. LoScalzo=yes, D. Cochran=no. This motion carried with a 3-yes & 2-no vote.

RICKEL STREETS ACCEPTANCE

Martell then read his recommendation of the streets and sewers in Rickel Subdivision #4. "the streets and sanitary sewers in Rickel subdivision #4 have been constructed and are now ready for use. Final inspection and required corrections have been made. I recommend that the streets and the sewers be accepted into the city sewer and street system. I further recommend that in lieu of a maintenance bond in the sum of two thousand dollars (\$2,000.00) be placed in escrow for a period of two years for use in sewer corrections due to failure due to installation procedures." Comments from citizens were given concerning some of the streets in the Rickel addition. Higgins then stated that all work requested by the city engineer will be done to his satisfaction. LoScalzo moved to give tentative approval subject to the final inspection and approval of the City Engineer to the streets and sewers in Rickel Subdivision #4. Five yes-opposed none. Motion Carried

HARBOUR BROTHERS-STREET WORK APPROVAL

Martell then presented his signed approval of the street work done by Harbour Brothers. M. Sterner moved second by J. Ebert this approval be granted and the sum of \$21,000.00 be paid to Harbour. Five yes-opposed none. Motion Carried.

CITY INSPECTOR-REPORTS

Ray Godard, City Inspector reported to council that electrodes for the lift station have been ordered, that Ed Klamm has finally removed his wind mill, Owen Sulley property has a barn that could be considered a dangerous structure, that street crossings in the Rickel addition will be paid for by Rural Water District #4.

MUNICIPAL JUDGE-REPORT

Robert VanCleave, municipal judge, discussed the NO PARKING signs at the Catholic Church. He suggested that more signs be bought for the area. Also recommending the intersection of Parallel and 155th be changed to a one access road. No action.

CERTIFICATION SCHOOL FOR CITY CLERK

Sylvia Lovvorn presented information concerning the first certification school for municipal clerks and finance officers. Following discussion M. Sterner moved to pay all expenses and allow time off for the city clerk to attend this school. Five yes-opposed none. Motion Carried.

MANPOWER MEETING-LEAVENWORTH

Mayor then read a letter from the Manpower program asking any council members to attend that could.

unapproved

council minutes continued November 4, 1975

ANIMAL CONTROL ORDINANCE #104

Waters then gave the second and final reading of Ordinance #104. M. Sterner then moved to adopt Ordinance #104 on the second reading. D. Cochran gave a second to this motion. Four yes-one abstention (Ebert). Motion Carried.

QUESTION CONCERNING CHANGE IN SOLID WASTE ORDINANCE

Non-resident Police Authority Sec VII
Ord 104

Mayor Worley put the question to council "does council wish to make any changes in the Solid Waste ordinance?" Following the question the Mayor directed the clerk to poll the council. Attorney Bingham ask for discussion. Mayor Worley stated he was asking for the council to be polled, if council votes to change the Solid Waste ordinance there will be discussion. The city clerk then polled the council: A. Landauer-yes, M. Sterner-yes, J. Ebert-no, A. LoScalzo-no, D. Cochran-no. The poll indicating that the council wished no changes be made in the Solid Waste ordinance #94. The vote was 3-no & 2-yes. Bingham made a request that the council ask the Attorney General for another opinion to clarify points concerning the contract with Solid Waste Inc. Discussion followed with D. Cochran making a motion not to ask for further clarification from the Attorney General. LoScalzo gave a second to the motion. 3-yes--2-no. Motion Carried.

DELINQUENT TAX NOT TURNED INTO CHARLES TURNER

Warden stated that the people with delinquent sewer and solid waste accounts had not been turned into the county clerk in time to be placed on the tax rolls. Waters had been given this list at the September council meeting with the understanding that there were some changes to this list. That he would be notified, he was not. Since these can be returned to the property owners account allowing them to be paid without being put on the tax rolls for the year, council agreed on this action. Mayor Worley will notify Virginia Williams, billing clerk.

FINANCE & ADMINISTRATION

A. Landauer ask that the council consider purchasing some land as a future building site. Discussion followed with no action.

SEWER & SOLID WASTE

J. Ebert gave a report on the last quarterly lagoon test taken by Leavenworth Department of Health. Mr. Ebert stated that the BOD was not taken for this period due to malfunction of their equipment and that Leavenworth will attach a letter to the State Department of Health so stating. Ebert also ask that the flow meters be purchased. Martell will have bids for the flow meters by the December meeting.

POLICE & PUBLIC SAFETY

Ebert presented two bids for the purchase of more signs. One bid was from Miroflex for \$556.15 and the other from General Products for \$425.80. These bids included: 31 green posts, 24 No Parking this side, 5 speed (20) Rickel, 2 slow children at play. Following much discussion Ebert recommended the council accept the bid from General Products. A. Landauer moved to approve Ebert's recommendation and purchase the above listed signs. Five 7es--opposed none. Motion Carried.

There being no further business this meeting was adjourned at 11:00

Sylvia Lovvorn
Sylvia Lovvorn
City Clerk