

CITY OF BASEHOR

LEAVENWORTH COUNTY
BASEHOR, KANSAS 66007

City Council Meeting August 2, 1972

Council Members Present: Bernard Eberth, Mayor; Councilmen: Farris Roberts, Anthony LoScalzo, David Cochran, John Ebert, Clarence Worley.

Others Present: John Murray, City Attorney; Connie Crocker, City Inspector; Richard Warden, City Treasurer; Sylvia Lovvorn, City Clerk; Cecil Swope, Chief of Police; Ron Bacon, Rickel surveyor; citizens of community.

Meeting was called to order by Mayor Eberth. Minutes of the regular meeting July 5, and recessed meeting July 17, 1972 were approved as printed following a correction July 17th, page 2, paragraph 3.

Treasurers report was read by Warden. LoScalzo moved second by Roberts this report be accepted and appropriation ordinance #63 be approved. 5⁴yes-opposed none. Motion Carried.

Mayor read a request from Mr. Tom Steele to move a pre-built home into the City. Following much discussion the council directed Connie Crocker, City Inspector, to make the inspection, and issue a permit pending Planning Commission approval and City Inspector approval.

Mayor read the Planning Commission letter concerning the Botkin and Hensley request for change of zoning. Planning Commission recommended denial, the main reason was that the land is not suitable at this time for ^{light industrial} commercial zoning and that the petitioners did not have any given use of this zoning. Cochran moved second by LoScalzo ^(S.L.) the Planning Commission's denial for both Botkin and Hensley be accepted. 5-yes-opposed none. Motion Carried. ^(C.D.W.)

K.C. Viets, representative of Viets Consulting Engineers, appeared at the request of council to discuss the cost of an overlay map showing the new city boundaries as well as the three mile area around the city. The clerk was directed to request Viets appear at the next regular meeting prepared to inform council of their charges to attend every regular meeting.

Mayor read the proposal from Raines, chairman of the Planning Commission, concerning the term of office for Commission members. Discussion followed.

Mayor Eberth then presented the names of Jane Scherer, Charles Newman & Robert Raines for reappointment to the Planning Commission for a term of three years. Cochran moved second by Worley these reappointments be approved as presented. 5-yes-opposed none. Motion Carried.

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Chief of Police Swope appeared to report a citizen being bitten by a dog belonging to Tom Kerr Box 88 Basehor, Kansas. Swope instructed Mr. Kerr to keep the dog penned. Discussion followed. A citizen told the council that the dog in question is running loose at night. Attorney requested the clerk to send to him a copy of ordinance #11, an ordinance pertaining to dogs. No Action taken.

Connie Crocker, City Inspector, read this report. Council directed that the work on lagoons be done according to Baxter representative of Taliaferrio and Browne (July 17 minutes-page 2-paragraph 1.)

Warden read the written report from Municipal Judge Franklin.

Mayor read a letter from the Fire Chief, Frank Eyerly, requesting the volunteer fireman be allowed to man the monitor that will be placed in the fire house during severe weather. Ebert moved second by Worley that the monitor be purchased and that Eyerly be in charge of manning same. 5-yes-opposed none. Motion Carried.

Councilman Ebert was then directed to contact Officer Earl Reavis for the purchases of above mentioned monitor.

Mayor read the formal motion submitted by Councilman Ebert concerning the control of stray dogs in the City of Basehor. Discussion followed concerning the now existing dog ordinance #11. No Action. At this time the clerk was directed to request Mr. Marvin McDowell of McDowell's Kennels at attend the next regular meeting of the City Council to discuss the dog problem.

Mayor then read a letter from the State Highway Commission stating no surplus tractor mower are available at this time for the City. Discussion followed. No Action.

Mayor read a letter from Murray to Rahija and Stephens concerning the drainage on 156th. Discussion followed. Mayor was directed to have Wesley Neu make the necessary correction.

Mayor then read a letter from Murray concerning the publishing of the 1972 Budget for the City of Basehor. Attorney Murray advised that this years budget be printed in both the Basehor Sentinel and Tonganoxie Mirror due to the Sentinel not in existence for five years.

Mayor read a letter from Bacon concerning the Rickel #4 subdivision. Much discussion followed. K.C. Voets, representing Viets Engineer, recommended that the proposed OPEN SPACE be put into lots so that someone would own this ground. Then a drainage easement be arranged. This arrangement would allow the City to force maintenance of this land. Council agreed they are not willing to accept this as open space, and that someone must have ownership. Cochran moved second by Worley the recommendation of City Engineer be followed-that the open space be omitted from proposed plat and that open space be included in adjoining lots as well as drainage easement be provided in original proposed open space. 5-yes-opposed none. Motion Carried.

Council minutes August 2, 1972 (continued)

Murray then gave the first reading of Ordinance #76, an ordinance providing for the annexation of the J.A. Meyer property described there in. Ebert moved second by Roberts the first reading of Ordinance #76 be approved as read. 5-yes-opposed none. Motion Carried.

The annexation of land belonging to the Holy Angels Church was discussed. This ordinance will be prepared for reading at the next regular meeting.

Annexation of tracts of land on Parallel was discussed. These ordinances will be prepared for reading at the next meeting.

Charter Ordinance #1, an ordinance relating to the election of the Mayor and Councilmen, their terms of office and the filing of vacancies was given the first reading. LoScalzo moved second by Worley Charter Ordinance #1 be approved as read. 5-yes-opposed none. Motion Carried.

Murray then presented the new zoning map for the City of Basehor for final approval by the Council.

Murray gave the first reading of Ordinance #75, an ordinance adopting by reference "Zoning and Planning Code of the City of Basehor, Kansas, 1972" repealing ordinance #13 and any and all other sections in conflict therewith. Much discussion followed. Councilman Ebert ask if all zonings have had hearings? Murray then read a letter from Robert J. Hrabak, Regional Planning Director, concerning proper procedure of zoning, also his letter as the City Attorney as to whether proper procedures have been followed in the adoption of the comprehensive plan, zoning regulations and zoning map. *MURKIN property was basic for discussion. S.L.*

Citizen Merle Mathia stood and challenged the legality of procedure concerning Ordinance #75.

At this point Councilman Worley stated "we have acted on this and it now becomes a matter for the Zoning Board of Appeals."

Cochran moved second by LoScalzo Ordinance #75 be approved on the first reading with the correction Lots 20 & 21 Block 5 Third Addition be changed from R-3 to R-1. At the request of the Mayor the clerk polled the Council: Roberts-yes, Ebert-deferred for second legal opinion, Cochran-yes, Worley-yes, LoScalzo-yes. Motion Carried as polled.

LoScalzo moved second by Roberts an emergency be declared and Ordinance #75 be adopted on the second and final reading. Councilman Ebert ask why an emergency should be declared? Councilman Roberts replied "The Planning Commission needs this zoning ordinance now and they have waited for several months for it." Mayor then requested the clerk to poll the council as to the need of this emergency: Roberts-yes, Ebert-pass, Cochran-yes, Worley-yes, LoScalzo-yes. Mayor then requested the Council be polled for the second reading of the ordinance: Roberts-yes, Ebert-pass, Cochran-yes, Worley-yes, LoScalzo- yes. Motion Carried as polled. Ordinance #75 was adopted on the second and final reading.

Council minutes August 2, 1972 (continued)

The purchase of a copy machine for the City was discussed. Since we have only had one machine for demonstration the clerk was instructed to contact other compies. Companies mentioned were Savin, Xerox, and any others.

Concerning the correction of manhole between 155th Terrace and 156th Street, Mayor stated he had instructed Neu to make this correction at a cost of not more than \$80.00.

Murray requested he be informed of the cost of reseeding lagoons and when the work was done.

LoScalzo ask about the possibility of Basehor using radar on a trial basis. Swope stated that a lease can be had on a monthly basis for about \$60.00 permonth. Council then directed Swope to secure a radar not to exceed 60 days also signs for posting.

The suit filed against the city by B. E. Hunt was considered. Murray will reply. Murray was supplied with all letters concerning this matter.

There being no further business this meeting was adjourned.



Sylvia Lovvorn
City Clerk