

CITY OF BASEHOR  
LEAVENWORTH COUNTY  
BASEHOR, KANSAS 66007

SCANNED

323-07 *AK*

Council Meeting July 2, 1974

Council members present; Mayor Eberth, Councilmen-Clarence Worley, David Cochran, John Ebert, John Novak.

Others Present; John Murray, City Attorney; Richard Warden, City Treasurer; Sylvia Lovvorn, City Clerk; Rickel Planner Ron Bacon, citizens of the community.

Meeting was called to order by Mayor Eberth. Minutes of the regular meeting June 4th, 1974 were considered. Worley questioned the statement, in the June minutes "I feel we must serve the majority, not the special interest groups". Discussion followed. Worley asked that the statement be explained or removed from the minutes. Novak moved second by Cochran that the statement in question be removed from the record and that the minutes be approved as corrected. 4-yes-opposed none. Motion Carried.

The Treasurers report was then presented. Worley questioned the hourly charge made by Mr. Pine for the cutting of weeds. Mayor stated the city should begin to think about the purchase of a mower. Mayor also stated that this year Mr. Pine's charge was \$225.00 for cutting weeds in the city.

Novak questioned total reimbursement from the EPA. Much discussion followed. Warden stated that he had put the full amount of \$10,300.00 in the Bond & Interest fund. Warden stated accountant Wayne Wolfe had suggested an Idle Fund could be created which would allow council to designate from any account, also that checks could be written with the interest to go in any account council directed. No Action was taken. Cochran moved to invest \$7,000.00 from Bond & Interest and \$3,000.00 from the General Fund in US Treasury Bills for 90 days. Worley second. 4-yes-opposed none. Motion Carried.

Novak asked where the \$31,000.00 from the EPA went. He was told this amount went to pay construction, attorney and engineer for the sewer project. Warden presented council with a run down budget of the police department.

Lovvorn pointed out a possible error in the charge made to Ray Harvey on tapping sewer. A charge of \$200.00 was made and the correct amount in lateral #4 should be \$150.00 until October 31 of this year. Novak moved this be checked into and if an error was made to reimburse Mr. Harvey \$50.00. Second by Ebert. 4-yes-opposed none. Motion Carried.

Warden stated accountant Wolfe is requesting some other bills, but is still working on the city audit.

Cochran moved second By Novak approval of appropriation Ordinance #86. 4-yes-opposed none. Motion Carried.

Mayor then read a letter from Mr. Merle Hoch concerning the public dumping trash on his property. Murray stated property owner would need to catch someone dumping. Worley asked about county signs stating "NO Dumping". Council directed the city police to run a periodical check in the area.

Mr. Otterman appeared to ask that assistance from the city for the Basehor Athletic Assoc in either money or equipment be allowed in this years city budget. Mr. Otterman further stated that it is the hope of the Association to involve people 13 to 16 in baseball next year and hopefully later to include football and basketball. Discussion followed. Council told Mr. Otterman that this would be considered at the Budget meeting to be held July 15, 1974.

Warden stated there was no special report from Chief Reavis, also that Reavis was on vacation. Warden then presented the report from Franklin, Municipal Judge in the amount of \$376.00. Novo-Gradac, building inspector, was not present.

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Ebert ask for council discussion concerning the letter received from the school board which stated that Mr. Charles Peterson would appear, at council request, at the budget meeting to discuss the problem of crossing guards for 155th St. Ebert felt that since the board had not given the council any advance notice of their action they would be responsible under the Tort Liability law for Sept, Oct, Nov and Dec. Murray then stated that the city is responsible for enforcement of traffic and traffic control. Ebert stated that since the letter from the school board came to the City too late to be considered on the budget the school should share the responsibility. Discussion followed. Council agreed that Mr. Peterson should be invited to attend the budget meeting. Clerk was directed to contact Mr. Peterson.

Mayor Eberth stated that he had not signed the complaint against Orma Kemler for his dog situation however if the problem had not been corrected by July 4th the complaint would be signed. Mayor further stated that he had been told that the barking dogs were being taken into the Kemler house.

Mayor Eberth then read from a letter from Attorney Murray stating Mr. William Nick's damages against the City. Murray stated he and Bruce Browne had recommended the city pay only \$500.00 for damages and a 15' permanent easment. Following discussion Novak moved second by Ebert-Murray be directed to make a firm offer of \$500.00 as full payment and 15' permanent easment to Mr. William Nick. 4-yes-opposed none. *8-13 LX*

Sewer billing clerk was then discussed. Mayor Eberth appointed Virginia Williams for sewer billing only at the same salary as Judy Paski (30¢) per unit, effective July billing. Cochran moved second by Novak this appointment be accepted. 4-yes-opposed none. Motion Carried.

Trash collection bids were then discussed. It was decided that the bids would be opened at the regular September meeting of the City Council. Ebert moved second by Cochran that an ad be put in the Sentinel stating that bids will be opened at the September meeting. 4-yes-opposed none. Motion Carried. Shaughnessy, editor of the Sentinel, stated that she would mail a copy of the paper to all interested bidders. This ad to appear in the first issue in August.

City Engineer was then discussed. Mayor ask if council was interested in inquiring into the possibility of the city using the County Engineer, on a fee basis. Council agreed that the time factor would be a problem and agreed not to make this inquiry.

Mayor then appointed Bruce Browne as City Engineer. By a show of hands being 4 against this appointment was not accepted.

Novak submitted the name of Leo Martell as City Engineer. By a show of hands being 4 in favor this appointment was approved.

Mayor then re-appointed John Murray as City Attorney. Ebert expressed displeasure that Basehor was not notified on the Meyer Dairy Industrial Bonds being purchased from the City of Leavenworth. Murray stated he had told the Basehor Council in the May meeting of the Meyer action. Further Murray stated "Meyer came to my office, their minds were made up then, and there was nothing I could do about it". Mayor Eberth stated Meyer had called him and he was out, so he was not notified. Murray continued by saying that there was no mention of these bonds at the meeting concerning annexation, at which Meyer's were present. Murray went on to say "they were looking for the best rates, which a larger city sometimes can get". Ebert stated "I hear that an executive of the Meyer Cooperation had stated the information was talked about earlier than the May meeting or the day before the May meeting". Murray replied "I was first approached in the morning, in my office, of the May council meeting". Much discussion followed. Mayor called for a show of hands on this appointment. There were 2-yes and 2-no. The Mayor was then called upon to break the tie.

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The Mayor voted yes allowing this re-appointment to be approved.

The Mayor then submitted Richard Warden's name as the re-appointment for City Treasurer. The show of hands was 4-yes. This re-appointment was approved.

Mayor then submitted Sylvia Lovvorn's name as the re-appointment for City Clerk. The show of hands was 4-yes. This re-appointment was approved.

Mayor then submitted Ken Novo-Gradac as a re-appointment for City Building Inspector. The show of hands was 4 yes. This re-appointment was approved.

Mayor then submitted William Franklin as a re-appointment for Municipal Judge. The show of hands was 4-yes. This re-appointment was approved.

Mayor then submitted Earl Reavis' name as a re-appointment for Chief of Police. The show of hands was 4-yes. This re-appointment was approved.

Appointments to the Zoning Board of Appeals were <sup>then</sup> considered. Mayor submitted the following names; Anna Mary Landauer and Ruth S. Grube for one year terms and Robert Wiley and Leola Oroke for two year terms. With a show of hands of 4-yes these re-appointments were approved.

Council then considered appointments for the Planning Commission. Mayor submitted the name of Ray Breuer. Discussion followed as to Mr. Breuer's lack of attendance to the Commission meetings. Mayor then called for a show of hands. He received a 0-yes-4-no. This re-appointment was not approved.

Councilman Novak moved second by Ebert that Mr. Leonard Lacy replace Mr. Breuer on the Planning Commission. On a show of hands of 4-yes this appointment was approved.

Mayor then submitted Jim McClurg for re-appointment to the Planning Commission. Show of hands was 4-yes. This re-appointment was approved.

Mayor then submitted the name of George Klinkenberg for re-appointment to the Planning Commission. A show of hands was 4-yes. This re-appointment was approved. These Commission members will serve from August 1974 to August 1977.

Cochran stated that he was unable to obtain a sample copy ordinance of leash law for dogs and asked that this subject be added to the August agenda. Clerk was so directed.

Cochran moved second by Novak that reimbursment of \$25.00 for petty cash be made to Mrs. Jane Scherer. 4-yes-opposed none. Motion Carried.

Clerk was directed by Council to supply a copy of all Council minutes to the chairman of the Planning Commission.

Worley questioned if Regional Planning Director had been paid the budget amount of \$400,00, as no bill has been presented to the council. No action was taken.

Upon a recommendation from the Planning Commission the re-zoning of the Elton Phillips property was considered. Murray then read the B-3 requirements from Ordinance #75. Shaughnessy stated that council has no right to say what kind of a business a man puts in as long as he complies with the ordinance. Worley moved second by Cochran that the Planning Commission's recommendation to allow this zone change be allowed. On a show of hands of 2-yes & 2-no. Mayor voting to break the tie with a yes vote, the Phillips request was granted.

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Mayor then read the Planning Commission recommendation concerning the final approval of the Rickel subdivision plat #4. Much discussion followed. Councilman Worley asked about the existing streets being brought up to city specifications. Bacon stated that some work had been done on the streets, further stating that the estate must be closed out which is a hold up now. Worley stated that with the new #4 going in there will be much more traffic. Following much discussion Cochran moved this 23 lots in Rickel #4 be approved as per Planning Commission recommendation with the attached condition that the streets in Rickel #2 & #3 be brought up to city requirements, certified by the City Engineer. Worley second. 4-yes-opposed none. Motion Carried. Bacon stated the Bond of \$250,000.00 does not have a termination date so this bond will cover the \$40,000.00 bond required to construct the utilities for the 23 lots in Rickel #4.

Novak asked about the area just north of the McSpaden property on 155th Terrace. Murray stated that this is an alley but has not been opened.

Murray was ask to clarify a bill received of \$120.00. Murray stated that this amount was for office work done.

Due to the election the August meeting was set for August 13th.

Warden stated he had been <sup>in</sup> contact with Merle Tice concerning the amount of Bond on City employees. Tice felt that the amount should be raised. Following discussion Cochran moved second by Novak that the City Treasurers Bond be raised to \$50,000.00. 4-yes-opposed none.

Warden stated that there are some people that are in arrears in the payment of Sewer Service charge. Murray asked Warden to send certification of these accounts to the County Clerk by the first of September.

Novak moved second by Ebert that any councilman be given the right to ask the Mayor or President of the council for a second meeting which would be ~~two~~ hours long for the purpose a working session following the mailing out of the agenda. 4-yes-opposed none, Motion Carried.

Ebert ask that the city bill Mr. A.K. Mussett for work done by the Mayor with City equipment on the ditch at Elm and 155th St. Discussion followed with the Mayor presenting a check from Mr. Mussett in the amount of \$30.00

Worley recommended some action be taken against Mr. Mussett concerning letter written to him by the City directing him to cut weeds and lower earth at the intersection of Elm and 155th Street. Much discussion followed. Murray was then directed to write Mr. Mussett directing this condition be corrected also giving a time limit for the work to be done.

There being no further business this meeting was adjourned at 10:10

  
Sylvia Lovvorn  
City Clerk