

AGENDA

BASEHOR CITY COUNCIL

June 2, 2008

6:00 p.m.

Basehor City Hall

WORK SESSION - 6:00 p.m.

Discussion of agenda items.

REGULAR MEETING – 7:00 p.m.

1. **Roll Call by Mayor Chris Garcia and Pledge of Allegiance**
2. **Public Hearing – Wastewater Treatment Plant Expansion, review of engineer's cost estimate and impact on sewer user charges or other taxes which will fund the improvements.**

3. Consent Agenda

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. May 5, 2008 Work Session & Regular Meeting
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events

4. Call to Public

Members of the public are welcome to use this time to comment about any matter relating to City business that is listed on this Agenda. The comments that are discussed under "Call to Public" may or may not be acted upon by the Council during this meeting. There is a five-minute time limit. (Please wait to be recognized by the mayor then proceed to the podium; state your name and address).

5. Scheduled Discussion Items

- a. Mike Duncan, Affinity Development (request cancelled)
- b. LCDC Quarterly Report
- c. David Brown – storm drainage issue
- d. Mark & Twila A. Heinen - street maintenance
- e. Benefit District Policy for the City of Basehor
- f. Building permit and excise tax audit

6. Business

- a. Consider Business and Industries Proclamation
- b. Consider approval of equipment bids for the Wastewater Treatment Plant expansion.

- c. Consider approval of an agreement to form a Kansas Group Funded Insurance Pool in partnership with the Mid-America Regional Council Insurance Trust (MARCIT). (defer to later date until revised documents are provided)
- d. Consider renewal of medical and dental insurance for period July 1, 2008 to June 30, 2009

- 7. City Administrator Report**
- 8. Mayor's Report**
- 9. Council Member Reports**
- 10. Executive Session**
- 11. Adjournment**

Basehor City Council reserves the right to amend the agenda following its publication in the Basehor Sentinel newspaper. Citizens are encouraged to attend all public meetings. Updates to the agenda may be viewed at www.cityof.basehor.org

AGENDA ITEM INFORMATION FORM

Agenda Item: Public hearing to discuss the Wastewater Treatment Plant, review of engineer's cost estimate and impact on sewer user charges or other taxes which will fund the improvements as required for the Kansas Water Pollution Control Revolving Loan Fund and K.A.R. 28-16-136.

Department: Administration & Public Works

Background/Description of Item:

Part of the process for a Kansas Water Pollution Control Revolving Loan Fund is to ensure public participation in the process. Per Kansas Administrative Regulation (K.A.R.) 28-16-136 a public meeting and a public hearing must be held.

<http://www.kslegislature.org/legsrv-kars/index.do>

The public meeting is required during the preparation of the facility plan to discuss alternatives. The public meeting must be advertised with a minimum of 15 days notice. The notice was published in the April 10 issue of the Basehor Sentinel and the meeting held May 5.

A public hearing is required prior to the formal adoption of a facilities plan. The public hearing must be advertised with a minimum of 30 days notice. The hearing must provide the public a current engineer's cost estimate and address the impact on sewer user charges or other taxes which will fund the improvements.

A report will be made by Burns and McDonnell engineer Jeff Keller on the design plans and any changes to the previous cost estimate. Information on sewer utility revenues over the past year will be reviewed and potential for meeting projected expenses.

Staff is working on the application for the Kansas Water Pollution Control Revolving Fund loan application and is planning on presenting the material to the city council for review in order to have funding available prior to the start of the construction project which is projected for late summer.

Funding Source: Sewer Fund

Recommendation: Listen to an update by Burns and McDonnell engineer Jeff Keller and gather public input.

Prepared by: Carl E. Slaugh, City Administrator
Council Date: June 2, 2008

Public Meeting Notice for April 10, 2008 Basehor Sentinel

The City of Basehor will hold a public meeting at City Hall, 2620 N. 155th Street in Basehor in conjunction with the regular city council meeting at 7:00 p.m. May 5, 2008 to review and discuss the waste water treatment plant expansion and other alternatives that are under investigation.

The meeting will meet requirements of Kansas Administrative Regulation 28-16-136 for public participation during development of the facility plan stipulated in the requirements for the Kansas Water Pollution Control Revolving Fund loan application.

Public Hearing Notice for April 17, 2008 Basehor Sentinel

The City of Basehor will hold a public hearing at City Hall, 2620 N. 155th Street in Basehor in conjunction with the regular city council meeting at 7:00 p.m. June 2, 2008 to review and discuss details regarding the waste water treatment plant expansion. The utility rate structure will be reviewed and an update provided by the engineer on the cost estimate for the project.

The meeting will meet requirements of Kansas Administrative Regulation 28-16-136 for public participation during development of the facility plan stipulated in the requirements for the Kansas Water Pollution Control Revolving Fund loan application.

Minutes

BASEHOR CITY COUNCIL

May 19, 2008

6:00 p.m.

Basehor City Hall

Official Presiding: Mayor Chris Garcia

Members Present: Iris Dysart, Terry Hill, Keith Sifford, Jim Washington

Members Absent: (none- one vacancy)

**Staff Present: Carl Slauch, Mary Mogle, Gene Myracle, Dustin Smith,
Lloyd Martley, Patrick Reavey, David Lutgen**

Newspaper: Lara Hastings, *Basehor Sentinel*

WORK SESSION - 6:00 p.m.

The work session was called to order by Mayor Garcia. All members were present including the city attorney.

1. Discussion regarding in-house building permit audit (2002 to present).

Councilmember Washington stated the audit did not give him the information he was looking for. He indicated all he wanted to know was every excise tax collected and was anyone billed twice and suggested having a legitimate audit performed from 2002 to present. Mr. Slauch stated all the excise tax that was to be collected was collected explaining there were some minor errors. He explained on the commercial side, staff found that excise tax was paid twice on three different properties and that information has yet to be completed. Councilmember Washington stated he was willing to wait until the June 2 Council meeting to see the completed commercial audit.

Councilmember Washington stated there was another area that was rezoned and questioned what control measures have been put in place so that double collecting of excise tax would not occur in the future. Mr. Slauch noted until the report is finalized, no mechanism has been put in place.

Councilmember Dysart asked if Falcon Lakes impact fee was included in the Transportation Fund and questioned if it should be in a separate fund since it was not an excise tax. She noted the Falcon Lakes Subdivision Improvements states the City agreed to waive excise taxes in lieu of the impact fee.

2. Review proposed changes to Municipal Code.

Councilmember Washington suggested sending the revisions to the city attorney for review and then he forward to League of Kansas Municipalities.

3. 2009 Budget review – department requests

Discussion was deferred at this time.

4. Discussion regarding agenda items.

- e. *Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)*

Greg Vahrenberg, Piper Jaffray, stated the City needed to consider Basehor Town Center project from two perspectives; (1) bond rating; and (2) purchase of bond insurance. He explained how the two items would affect the City in the future. Mr. Vahrenberg reported he did not see any problem with the City's bond rating, debt ratio, or debt limit against other cities of Basehor's size.

Councilmember Washington asked if KDHE State Revolving Loans counted against debt limit. Mr. Vahrenberg stated KDHE loans would not count against debt limit. Mr. Slaugh asked if General Obligation (GO) Bond benefit districts would count against debt limit. Gary Anderson, bond counsel, stated the benefit districts would count against debt limit. Mr. Vahrenberg explained the bonding process noting in order to protect the city-at-large; a letter of credit could be requested from the developer. Councilmember Washington asked how many government agencies require a letter of credit. Mr. Vahrenberg stated a lot of cities he has worked with are starting to require a letter of credit (Paola, Lansing, Gardner) primarily because of the state of the economy.

Gary Anderson, Gilmore & Bell, reported when the City issues GO Bonds, the full faith line of credit is behind the project and the taxpayers are at risk. At times, a developer may be required to put additional dollars into the project. The letter of credit is intended to be a floating letter of credit that would deal primarily with infrastructure. He spoke in general explaining how a letter of credit would work with the developer being solely responsible unless he starts selling large tracts of land. The letter of credit would decrease once an assessed valuation of the property equals or exceeds the letter of credit. If someone else purchased the land, a letter of credit would not be necessary.

Council discussed the difference between general obligation bonds verses special assessment bonds.

Patrick Reavey asked bond counsel is they were comfortable with a two year letter of credit. Mr. Anderson stated the two years was a compromise and felt part of the issue was that it was possible that the project would take longer than two years to close;

however, it may take the developer longer to find someone to come in a market the property.

Councilmember Hill noted the purpose of this process was to mitigate liability for the City and questioned if the City should ask for a letter of a credit or a special obligation bond. Mr. Anderson stated a special obligation bond was better since there was no risk for the City and there was risk with a letter of credit.

Mayor Garcia asked where in the documents it states the six properties on 155th Street were exempt from assessments. Mr. Anderson stated the document states the developer would be responsible for the \$43,000 (3.02b, page 9) in assessments and a letter of credit could also be valuable.

Councilmember Washington asked staff if there had been past discussion with the developer about moving 155th Street east so that no other easements would be necessary. Mr. Slauch stated that has been considered as an option. Councilmember Washington stated he preferred that option and would like additional information from the planning director.

Five-minute break. (6:55 p.m.)

REGULAR MEETING – 7:00 p.m.

ROLL CALL BY MAYOR CHRIS GARCIA AND PLEDGE OF ALLEGIANCE

All present including the city attorney

FILL VACANCY ON THE CITY COUNCIL

Mayor Garcia submitted the name of Roger McDowell to fill the vacancy of former Councilmember Terry Thomas.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the appointment of Roger McDowell. A roll call vote was taken with all members voting in favor. Motion passed 4-0.

City Clerk Mary Mogle administered Oath of Office to Mr. McDowell.

ELECTION OF COUNCIL PRESIDENT

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to nominate Councilmember Dysart as Council President. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Councilmember Dysart stated she appreciated the opportunity to serve and Council's support.

PUBLIC HEARING REGARDING SEWER AND SOLID WASTE DELINQUENTS

Staff Comments:

City Clerk Mary Mogle reported from the time Council received the list of delinquent account to present; there have been a number of accounts pay. She reported any delinquent property billed to renters would be sent to State Setoff for collection. At this time she thought only one property would be affected.

Citizen Comments:

There were no citizen comments.

Council Comments:

Councilmember Washington stated he wanted to make sure changes to the code included the new state laws regarding landlord obligations. The city clerk reported the city attorney was in the process of drafting those changes.

Mayor Garcia announced this item would be acted on under Business Item "a".

The public hearing was closed.

PUBLIC HEARING REGARDING THE ANNEXATION OF PROPERTY LOCATED AT 19249 158th STREET

Staff Report:

Mr. Smith reported annexation of property located at 19249 158th Street was involuntary and would not need approval from the county commissioners since it adjoined city limits. He reported the address was a county address and would need to be changed in the future. Mr. Smith reported he followed all necessary notification requirements.

Citizen Comments:

There were no citizen comments.

Council Comments:

There were no council comments.

Mayor Garcia announced this item would be acted on under Business Item "g".

The public hearing was closed.

PUBLIC HEARING REGARDING THE ANNEXATION OF PROPERTY LOCATED AT 16101 PARALLEL ROAD.

Staff Report:

Mr. Smith reported the annexation was involuntary and would not need approval from the county commissioners since it adjoined city limits. He reported the address was a county address and would need to be changed in the future. Mr. Smith reported he followed the necessary notification requirements.

Citizen Comments:

Property owner Ray Breuer requested Council delay annexation for two years to allow him to make improvements to his residence. He explained it would be cheaper to make those changes as a county resident versus a city resident since the City would charge him an excise tax. He vowed to voluntarily annex once his improvements were made.

No other citizen comments.

Council Comments:

There were no council comments.

The city attorney announced the planning director provided the city council with an Annexation Plan along with annexation criteria.

Mary Lou Isnard, 1907 166th Street in Prairie Gardens, spoke in favor of both annexations.

Councilmember Washington reported the annexation adjoined the city on three sides. He explained in the past Basehor Town Center was required to annex their entire property and Prairie Gardens should be required to do the same in the future.

CONSENT AGENDA

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. May 5, 2008 Work Session & Regular Meeting
 2. May 12, 2008 Work Session (Matter of Record-No meeting held due to lack of quorum)
- b. Approve Treasurer's Report & Vendor Payments
- c. Approve investment recommendations
- d. Approve calendar of events

Prior to the meeting Councilmember Dysart requested the statement "stinky stinky deal" (page 6) be changed to read "sneaky stinky deal". Councilmember Washington requested the word "drugged" (page 5) be changed to "dragged".

A motion was made by Councilmember Sifford and seconded by Councilmember Hill to approve the Consent Agenda with aforementioned corrections. A roll call vote was taken with all members voting in favor. Motion passed 5-0 with McDowell abstaining.

CALL TO PUBLIC

Members of the public are welcome to use this time to comment about any matter relating to City business that is listed on this Agenda. The comments that are discussed under "Call to Public" may or may not be acted upon by the Council during this meeting. There is a five-minute time limit. (Please wait to be recognized by the mayor then proceed to the podium; state your name and address).

a. Citizen Comments Regarding Agenda Items

Dennis Mertz (2905 N. 155th St.) asked Council consideration concerning Basehor Town Center agenda items. It was his opinion the benefits would exceed the risks and felt the two options presented by bond counsel would be suitable against the City's bond limits.

Public portion of the meeting closed.

SCHEDULED DISCUSSION ITEMS

None

BUSINESS***a. Consider authorizing city clerk to certify delinquent sewer and solid waste accounts with Leavenworth County Clerk to be added to tax rolls and assessment of administrative fees.***

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to authorize the city clerk to certify delinquent sewer and solid waste accounts with Leavenworth County Clerk to be added to the tax rolls and assessment of administrative fees. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

b. Consideration of the Final Plat and Subdivision Improvement Agreement for Basehor Town Center, 1st Plat., as requested by Affinity Development

Planning Director Dustin Smith reported Basehor Town Center, 1st Plat included platting of the right-of-way for the elementary school and approximately 17 acres. The Planning Commission recommended approval with six conditions as stipulated in the staff report. Mr. Smith noted most of the conditions have been addressed on the final plat.

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to affirm the actions of the Planning Commission. A roll call vote was taken with all members voting in favor including Mayor Garcia. Motion passed 6-0.

c. Consideration of the Final Development Plan for Basehor Town Center Elementary School to be located on Lot 1 of Basehor Town Center, 1st Plat, as requested by Unified School District #458.

Mr. Smith reported the Planning Commission recommended approval with one condition as stipulated in the staff report. He explained there was a storm water issue that being a lack of detention; which has been resolved. The revised plan shows a temporary stormwater detention pond to be located on the north side of Basehor Boulevard that will detain runoff from the majority of the site. Protective measures have been provided on the east side of the property to control the discharge from the underground pipe that drained approximately three acres of the total site area; which would reduce erosion to the east of the site prior to the runoff entering the existing pond. Easements are pending approval from the city engineer.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the Final Development Plan for Basehor Town Center Elementary School located on Lot 1 of Basehor Town Center, 1st Plat. A roll call vote was taken with all members voting in favor including Mayor Garcia. Motion passed 6-0.

d. Consider approval of a letter of engagement with Gilmore and Bell for the creation of an improvement district for Basehor Town Center project.

Councilmember Washington asked Mr. Anderson if the \$250 hour fee schedule included associates and partners. Mr. Anderson stated it was strictly attorney hours.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the letter of engagement with Gilmore and Bell for the creation of an improvement district for Basehor Town Center project. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

e. Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)

Mayor Garcia reported in past discussion, Council asked that Basehor Boulevard extend from 155th Street east to 147th Street. Mr. Anderson explained there are two benefit district petitions, 1) 155th Street improvements [construction of approximately 1400 linear feet of 155th Street from Hickory to 1400' South at collector street standards]; and 2) parcel east of 155th in the sewer district and Basehor Boulevard extended to the elementary school [construction of approximately 2,430 linear feet of Basehor Boulevard from 155th to approximately 2500 feet East].

A motion was made by President Dysart and seconded by Councilmember Washington to approve the petition for a benefit district to finance public improvements and Development Plan as submitted. A roll call vote was taken with members Sifford and

Hill voting no and members McDowell, Dysart, and Washington voting in favor. Motion passed 3-2.

f. Consider resolution requesting the Board of County Commissioners of Leavenworth County, Kansas to make certain findings regarding the annexation of the property located at 14210 Fairmount Road, also known as the Field of Dreams Athletic Complex, into the City of Basehor.

Mr. Smith reported Basehor Athletic Association has requested to voluntarily annex into the City of Basehor after being connected to the City's sanitary sewer system. This item would require approval of a resolution from the Board of County Commissioners since it was an island annexation. If approved by the Board of Commissioners, an ordinance would be brought before the Council for final action.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the resolution requesting the Board of County Commissioners make certain findings regarding the annexation of property located at 14210 Fairmount Road. President Dysart asked if the City would be liable for maintenance of Fairmount Road. Mr. Smith reported the legal description does not include the roads. She questioned the zoning classification. Mr. Smith reported the closest zoning would be "PUD" Planned Urban Residential zoning classification. Mr. Reavey noted as previously stated, Kansas Supreme Court said to leave at the county zoning. The City could not change the zoning until the City or property owner initiates a rezoning or changes the use of the property. Mr. Smith was unsure how the City would bring in at a County zoning unless the City adopted a county zoning. Mr. Reavey reported De Soto administers the County zoning regulations unless issues arise. Councilmember Washington suggested adding a category for parks. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

e. Consider petition for a benefit district to finance public improvements and Development Plan, as requested by Affinity Development, for Basehor Town Center. (deferred from 5/05/08)

Note: Refer to page 7 for original motion.

Mr. Slaugh asked that petitions for Basehor Town Center be handled with two separate motions.

A motion was made by Councilmember Washington and seconded by President Dysart to move for reconsideration on Business Item "e". Mr. Reavey clarified the reason for reconsideration was the fact that the agenda did not list the item correctly. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

A motion was made by Councilmember Washington and seconded by President Dysart to approve Item #1, Basehor Boulevard Benefit District as shown on the screen. Councilmember Sifford asked for clarification on what the Council was approving.

Councilmember Washington stated the Council was approving the formation of the benefit district. Mr. Anderson stated this action did not obligate the City to any general obligation bonds. Councilmember Hill asked what risk the City had with passing the benefit district. Mr. Anderson stated the City had no risk at this point. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the 155th Street Benefit District. A roll call vote was taken with members Dysart and Washington voting in favor and members Sifford, McDowell, and Hill casting a no vote. Motion failed 2-3.

Council discussed how the previous vote affected the Development Agreement. Mr. Anderson reported the Development Agreement was amended earlier in the day that added an option for Special Obligation bonds rather than requiring a letter of credit. Pete Heaven, Affinity Development, reported they looked into alternatives that would reduce the City's risk. He felt the City would be fully protected with Special Obligation Bonds. Mr. Reavey asked if there was any thing in the development agreement that would prohibit the developer from acquiring a letter of credit. Mr. Heaven explained they were struggling with some banks regarding the letter of credit. Mr. Anderson stated since the 155th Street issue failed, they would remove it from the Development Agreement and letter of credit. The obligation (i.e. special assessments) would not go in placed until the improvements are completed. During the term of the notes, there would not be any special assessments and City could have potential risk exposure.

Councilmember Washington asked when the repayment of temporary notes would commence. Mr. Anderson reported generally notes are issued for a two to three year period and interest payments are included in the note and no cash flow was necessary. Councilmember Washington did not feel the City had risk exposure. Mr. Anderson said there were a number of things that would have to occur prior to the City being held liable for payments.

Councilmember Sifford reported Piper Jaffray, Gilmore & Bell, and Affinity Development all stated there was some risk to the taxpayers of Basehor. He went on to explain, in the past, developer Mike Duncan stated he was prepared to finance the project himself; therefore, it was his opinion the City should let the developer pay for improvements. Councilmember Hill was concerned about the City's debt ratio and was under the impression Affinity Development was going to finance the project. Mr. Heaven explained it was the construction of the school that forced the developer to move forward sooner than anticipated. He explained roads in front of schools would not count against bond indebtedness. Mr. Anderson said he thought the bonds would be about \$3.5 million and increase the City's debt ratio by about 30%.

Councilmember Washington asked the school superintendent what impact the school district would have if the City did not approve the petition. School Superintendent Dr. Albers stated he would not be able to comment at this time. It may cost the school district approximately \$100,000 per month.

Councilmember Sifford sympathized with the school district and supports the district; however, the City was in a situation that he felt was not in the best interest of the taxpayers at-large. Councilmember Hill asked if there was another location the school could locate if this did not go through. Mr. Albers stated there was another piece of property; however, the school board felt this was the best location and they had already invested dollars into this location.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the negotiated development agreement. Councilmember Washington amended his motion to also authorize the mayor to sign the agreement. A roll call vote was taken with member Washington and Dysart voting in favor and members Sifford, McDowell, and Hill casting a no vote. Motion failed 2-3. *(Tape 2, Side A)*

Mr. Slaugh asked Mr. Anderson if the City should move forward with the Development Agreement. Mr. Anderson stated if the City was not going to issue any bonds or temporary notes, the City would have standard police powers to review the plans and specifications as for any other project. Mr. Slaugh asked if the City approved the benefit district for sewer, wouldn't it also imply acceptance of the Development Plan. Mr. Anderson stated it would be a separate action by the Governing Body.

Mr. Slaugh asked for Council direction as to what should be included in the Development Agreement. Mayor Garcia stated it was his understanding the majority of the Council wants the developer to pay for the improvements. Mr. Anderson suggested the City leave the benefit districts in place giving the developer the opportunity to come back at a later date with another proposal.

g. Consider ordinance annexing property located at 19249 158 Street into the City of Basehor.

A motion was made by Councilmember Sifford and seconded by Councilmember Dysart to approve the ordinance annexing property located at 19249 158th Street as presented. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

h. Consider ordinance annexing property located at 16101 Parallel Road into the City of Basehor.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve the ordinance annexing property located at 16101 Parallel Road as presented. Discussion followed. Councilmember Hill stated he was not arbitrarily opposed for additional time; however, Mr. Breuer could make improvements if he was in the City as well. Mr. Breuer stated, if annexed into the City, he would be required to pay additional excise taxes. Mr. Smith confirmed that Mr. Breuer would be required to pay excise tax if improvements exceeded a certain amount. A roll call vote was taken with all members voting in favor with the exception of Councilmember Hill. Motion passed 4-1.

i. Appeal to Planning Commission determination on the lot split for Lot C-5, Pinehurst North Subdivision relating to the condition for shared access.

Mr. Smith reported this was an item proposed by the property owner related to lot split for Lot C-5, Medicine Store. Easements are required to surround the property to include two access points and parking lots on both sides. Pinehurst Drive has become a reserve frontage road which was not anticipated during development.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to affirm action of the Planning Commission.

Mark Breuer, Schlagel & Associates, representing the owner of the project reported they went through the development plan without consideration to an additional access. He did not feel it was an appropriate time to make changes since they had already moved forward with construction. He explained the property had about a 4% grade and would require significant filling of the adjacent lot. To change now would be a significant cost to the property owner through grading and filling of dirt. Mr. Smith stated the Planning Commission did not anticipate that the access would line up with the existing road and was not aware of the lot split at the time of approval.

Councilmember Washington stated Council was provided with a Master Development Plan and generally follow through with the plan; however, it was up to the Council to assure there was a natural flow of traffic.

A roll call vote was taken with members Dysart and Hill voting no and members Washington, McDowell, and Sifford voting in favor. Motion passed 3-2.

Five-minute break (8:35 p.m.)

k. Consider purchase of pumps for Sewer District #12 lift station.

Mr. Myracle explained Sewer District No. 12 lift station was approximately twelve years old and has two submersible pumps. About three weeks ago, a pump failed and was too costly to repair. To replace both pumps by city staff it would cost about \$7,200.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to approve purchase of pumps to service the lift station on Skaggs property not to exceed \$7,500.00. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

l. Consider approval of payment for repairs at 163rd Street lift station.

Mr. Myracle reported he has not received all the invoices for the repairs and requested this item be tabled until the June 2nd meeting.

A motion was made by Councilmember Washington and seconded by Councilmember Sifford to table this item until June 2, 2008. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

m. Consider proposed changes to Municipal Code

Councilmember Washington wanted to make sure the changes made to rescind various charter ordinances would be included in the revisions of the municipal code. Mr. Slauch explained a charter ordinance would need to be adopted rescinding those particular ordinances.

A motion was made by Councilmember Washington and seconded by President Dysart to approve the updated list of changes with the condition that the city attorney approve the changes prior to submission to the League of Kansas Municipalities. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

m. Consider changes to Lieutenant's job description.

Chief Martley reported minor changes to the job description.

A motion was made by Councilmember Sifford and seconded by President Dysart to approve changes to the Lieutenants job description as submitted. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

n. Appointments of City Officials

Mayor Garcia presented the following slate of appointments for Council consideration:

City Attorney - Patrick Reavey
City Engineer – Joe McAfee, MHS Solutions
Municipal Judge – William Pray
City Prosecutor – Mike Mogenson
Court Appointed Attorney – Roger Horsky
Municipal Court Clerk – Traci Dockery

A motion was made by Councilmember Washington and seconded by President Dysart to amend the agenda and consider each appointment individually. A roll call vote was taken with members Sifford, McDowell, and Hill voting no and members Dysart and Washington voting in favor. Motion failed 2-3.

A motion was made by Councilmember Hill and seconded by Councilmember Sifford to approve the slate of appointments as presented. Discussion followed. Councilmember Washington had no objection to the slate; however, he was opposed to consider as a single slat. Each office has different requirements and good people should not be voted against just because of one or two positions.

A roll call vote was taken with members Sifford, McDowell, and Hill voting in favor and members Washington and Dysart casting a no vote. Motion passed 3-2.

o. Consider city administrator contract changes in regards to vacation policy, sick leave and severance pay. (deferred from March 17)

The city attorney requested this matter be discussed in a fifteen minute Executive Session under Attorney-Client Privileged Matters pertaining to personnel.

A motion was made by Councilmember Washington and seconded by Councilmember McDowell to discuss this item in executive session not to exceed 15 minutes. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

CITY ADMINSTRATOR REPORT

- May 20 - Pre-selection meeting for engineering firms interested in Leavenworth County Air and Business Park feasibility study, 3:00 p.m.
- May 22 - Monthly WWTP progress meeting with Burns & McDonnell, 9:00 a.m.
- May 22 - Basehor Chamber of Commerce membership luncheon at Basehor Library, 12:00
- June 7 - Dairy Days
- June 14 - City Wide Garage Sale
- Health Insurance Renewal – Insurance rates increased 27.3%. Budget currently allows for a 26% increase. The city administrator will provide more information at the June 2 meeting.

Councilmember Sifford felt the City should remain with Blue Cross Blue Shield based on past experience. Councilmember Washington suggested looking into a designated risk manager in the future.

- The planning director reported Chris Dunn, Leavenworth County Planner has offered to present the County's Comprehensive Plan to the Planning Commission or City Council. Council agreed to meet in a combined work session and directed the planning director to schedule the meeting.
- Chief Martley reminded council to buckle up....Click-It or Ticket program was in operation at this time.

MAYOR'S REPORT

- Mayor Garcia announced he received an acknowledgement from the National Codes Council for building inspector Mark Lee's efforts in promoting "National Building Safety" week.
- Attended Holy Angels ground breaking ceremony on May 18th and felt the new church would be an asset to the community.

COUNCIL MEMBER REPORTS

Jim Washington

Councilmember Washington announced he attended the new Library's ribbon cutting dedication and commended the committee for securing the Full Colonel of the army as a bartender. Great Facility!

EXECUTIVE SESSION

a. City Administrator Annual Evaluation and Contract Review

A motion was made by Councilmember Washington and seconded by Councilmember Hill to convene into executive session for twenty-minutes to discuss Business Item "o" and City Administrators annual evaluation and contract review under Attorney-Client Privileged Matters and personnel. A roll call vote was taken with all members voting in favor. Motion passed 5-0. The city attorney was included in the session. (9:05 p.m.)

At 9:30 p.m. the regular meeting was called back to order. The following action was taken based on the Executive Session discussion.

o. Consider city administrator contract changes in regards to vacation policy, sick leave and severance pay. (deferred from March 17)

A motion was made by Councilmember Washington and seconded by Councilmember Hill to authorize the mayor to sign an agreement as negotiated with the city administrator by the city attorney to increase vacation to the equivalent of a ten year employee with a minimum of fifteen days with accruals as stated in the city personnel handbook and to include a severance agreement equivalent to seven pay periods. Councilmember Sifford stated he would like to see the numbers on a ten year employee. A roll call vote was taken with all members voting in favor with the exception of President Dysart. Motion passed 4-1.

ADJOURNMENT

A motion was made by Councilmember Sifford and seconded by Councilmember McDowell to adjourn the May 19, 2008 regular meeting. A roll call vote was taken with all members voting in favor. Motion passed 5-0.

Submitted for Council approval with/without corrections or additions this 2nd day of June, 2008.

Chris Garcia, Mayor

Attest:

Mary A. Mogle, CMC, City Clerk

CHECK REGISTER REPORT

AS OF 05/23/08

Date: 05/23/2008

Time: 11:09am

Page: 1

City Of Basehor

BANK: First State Bank

Check #	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
15364	05/23/2008	Printed	ADVANCE IN	ADVANCE INSURANCE COMPANY	AD&D/LIFE INSURANCE PREMIUM	120.00
15365	05/23/2008	Printed	AFLAC	AFLAC	CAFETERIA PLAN WITHHOLDING PYM	789.20
15366	05/23/2008	Printed	BLUE CROSS	BLUE CROSS & BLUE SHIELD OF KS	MEDICAL INS WITHHOLDING PYMT	9,078.40
15367	05/23/2008	Printed	BURNS & MC	BURNS & MCDONNELL	PROFESSIONAL SRV-EXPANSION WWF	42,280.00
15368	05/23/2008	Printed	DEFFENBAUG	DEFFENBAUGH DISPOSAL SERVICE	SOLID WASTE/DUMPSTERS/SP WASTE	10,287.76
15369	05/23/2008	Printed	EFTPS	EFTPS	FED/SS/MEDI WITHHOLDING PYMT	10,385.27
15370	05/23/2008	Printed	GRIFFIN/WI	WILLIAM GRIFFIN	BANKRUPTCY WITHHOLDING PYMT	200.00
15371	05/23/2008	Printed	ING LIFE	ING LIFE INSURANCE & ANNUITY	DEFERRED COMP WITHHOLDING PYMT	6,950.00
15372	05/23/2008	Printed	INTERNAL R	INTERNAL REVENUE SERVICE	IRS GARNISHMENT WITHHOLDING PY	261.26
15373	05/23/2008	Printed	ICMA	INTERNATIONAL CITY CNTY MNGT	MEMBERSHIP C. SLAUGH	620.00
15374	05/23/2008	Printed	KS DOR WTH	KANSAS DEPARTMENT OF REVENUE	KS STATE WITHHOLDING PYMT	1,537.28
15375	05/23/2008	Printed	KANSAS PAY	KANSAS PAYMENT CENTER	CHILD SUPPORT WITHHOLDING PYMT	223.50
15376	05/23/2008	Printed	KPF EFT	KPF EFT PROGRAM	KPF RETIREMENT WITHHOLDING PYM	3,297.98
15377	05/23/2008	Printed	LEAVEN JUS	LEAVENWORTH JUSTICE CENTER	CASH BOND FORWARDED FELONY	500.00
15378	05/23/2008	Printed	LOI TECH	LOI TECHNOLOGY	PHONE/SETUP&EXTENSIONS-POLICE	292.49
15379	05/23/2008	Printed	MARCIT	MARCIT	DENTAL INS WITHHOLDING PYMT	1,143.00
15382	05/23/2008	Printed	MCAFEE HEN	MCAFEE HENDERSON SOLUTIONS	ENGINEERING SERVICES	11,026.25
15383	05/23/2008	Printed	MEYER M	MICHELLE MEYER	REFUND CITATION 9231	100.00
15384	05/23/2008	Printed	NAT CRIME	NATIONAL CRIME PREVENTION	PROMO ITEMS-BADGE TATTOOS (POL	45.35
15385	05/23/2008	Printed	NEXTEL	NEXTEL COMMUNICATIONS	CELLULAR PHONE SERVICES	898.42
15386	05/23/2008	Printed	OMBPOLLENE	OMB POLICE SUPPLY, INC	EMPLOYEE CLOTHING-BRIDGMAN	675.99
15387	05/23/2008	Printed	PITNEY BOW	PITNEY BOWES	ON-LINE PAID POSTAGE-DELIQUENT	300.00
15388	05/23/2008	Printed	PONZER	PONZER-YOUNGQUIST PA	ENGINEER REVIEW-TOWN CNT SCHL	619.91
15389	05/23/2008	Printed	QUILL	QUILL	PAPER, CARTRIDGES, CARD REFILL	246.06
15390	05/23/2008	Printed	RUSHKING P	RUSHKING PROMOTIONS	PROMO ITEMS-FIRSBEES (POLICE)	231.64
15391	05/23/2008	Printed	SELECT IMA	SELECT IMAGING	FILEBOUND HOSTING FEE	300.00
15392	05/23/2008	Printed	VANCLEAVE	BOB VANCLEAVE	REIMBURSEMENT LIGHT BULB-VEHIC	19.96
15393	05/23/2008	Printed	VISA	VISA	TRAINING/PLANTS FRONT/RECEPTIO	1,879.23
15394	05/23/2008	Printed	WALMART MA	WALMART	CITY FACILITY/CLEANING/OFFICE	491.43
15395	05/23/2008	Printed	WESTAR GRP	WESTAR ENERGY	UTILITIES - ELECTRIC	4,431.67

Total Checks:	30	Bank Total:	109,232.05
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Total Checks:	30	Grand Total:	109,232.05
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REVENUE/EXPENDITURE REPORT
AS OF 05/23/08

City Of Basehor

For the Period: 1/1/2008 to 5/31/2008

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH
Fund: 01 - GENERAL FUND				
Revenues	2,467,360.00	2,467,360.00	804,868.68	42,709.59
Expenditures	2,178,959.00	2,178,959.00	724,073.94	115,215.58
Net Effect for GENERAL FUND	288,401.00	288,401.00	80,794.74	-72,505.99
Fund: 04 - SPECIAL PARK & RECREATION FUND				
Revenues	35,348.00	35,348.00	5,858.18	1,483.82
Expenditures	19,500.00	19,500.00	835.92	835.92
Net Effect for SPECIAL PARK & RECREATION FUND	15,848.00	15,848.00	5,022.26	647.90
Fund: 05 - SEWER FUND				
Revenues	5,851,539.00	5,851,539.00	281,228.09	15,784.13
Expenditures	5,715,259.00	5,715,259.00	572,268.57	67,439.05
Net Effect for SEWER FUND	136,280.00	136,280.00	-291,040.48	-51,654.92
Fund: 07 - CEDAR LAKES MAINTENANCE				
Revenues	14,119.00	14,119.00	664.60	330.90
Expenditures	10,500.00	10,500.00	2,401.38	60.00
Net Effect for CEDAR LAKES MAINTENANCE	3,619.00	3,619.00	-1,736.78	270.90
Fund: 08 - BOND & INTEREST FUND				
Revenues	890,969.00	890,969.00	555,332.42	1,394.13
Expenditures	1,011,084.00	1,011,084.00	363,053.34	0.00
Net Effect for BOND & INTEREST FUND	-120,115.00	-120,115.00	192,279.08	1,394.13
Fund: 09 - SOLID WASTE FUND				
Revenues	162,744.00	162,744.00	55,386.97	582.55
Expenditures	162,182.00	162,182.00	55,528.29	11,161.05
Net Effect for SOLID WASTE FUND	562.00	562.00	-141.32	-10,578.50
Fund: 10 - CONSOLIDATED HIGHWAY FUND				
Revenues	787,548.00	787,548.00	181,069.14	16,106.78
Expenditures	588,700.00	588,700.00	57,071.99	6,839.71
Net Effect for CONSOLIDATED HIGHWAY FUND	198,848.00	198,848.00	123,997.15	9,267.07
Fund: 11 - MUNICIPAL EQUIP RESERVE FUND				
Revenues	218,247.00	218,247.00	1,585.25	752.76
Expenditures	225,000.00	225,000.00	64,104.75	17,290.00
Net Effect for MUNICIPAL EQUIP RESERVE FUND	-6,753.00	-6,753.00	-62,519.50	-16,537.24
Fund: 12 - CAPITAL IMPROVEMENT FUND				
Revenues	388,976.00	388,976.00	97,138.26	4,342.35
Expenditures	375,000.00	375,000.00	0.00	0.00
Net Effect for CAPITAL IMPROVEMENT FUND	13,976.00	13,976.00	97,138.26	4,342.35

BALANCE SHEET

AS OF 05/23/08

Page: 1

5/23/2008

12:34 pm

City Of Basehor

As of: 5/31/2008

Balances

Fund: 13 - SUMMATION OF ALL FUNDS

Assets

Acct Class: CA CURRENT ASSESTS

001 FSB CHECKING ACCOUNT	75,982.34
002 FSB MONEY MARKET ACCOUNT	3,105,112.60
016 103-3 OVERNIGHT ACCT MIP	85,531.90
031 30433 CNB 3.10% DUE 10/18/08	800,000.00
045 418000021 COMMERCE 2.25% 08/11	1,400,000.00

Acct Class: CA CURRENT ASSESTS

5,466,626.84

Total Assets

5,466,626.84

Liabilities

Acct Class: CL CURRENT LIABILITIES

214 SEWER FUND MONTHLY BALANCE	617,220.81
215 SOLID WASTE MONTHLY BALANCE	76,571.98
216 GENERAL FUND MONTHLY BALANCE	1,411,193.29
218 MUNICIPAL EQUIP FUND MO BAL	140,554.66
219 CAPITAL IMPROVE FUND MO BAL	810,799.09
220 SPECIAL PARK & REC FUND MO BAL	127,682.41
221 CONS HIGHWAY FUND MONTHLY BAL	1,960,508.43
226 BOND & INTEREST MONTHLY BAL	260,310.36
300 CL MAINTENANCE MONTLY BALANCE	61,785.81

Acct Class: CL CURRENT LIABILITIES

5,466,626.84

Total Liabilities

5,466,626.84

Total Liabilities & Balances

5,466,626.84

INVESTMENT REPORT

as of May 23, 2008

**THE FOLLOWING RECOMMENDATION WAS MADE AT
THE APRIL 28, 2008 COUNCIL MEETING:**

ITEM # 1

CD418000021

COMMERCE BANK

\$1,400,000.00

It was recommended that the \$1,400,000.00 be reinvested for three months at the highest interest rate available.

On May 13, 2008 the CD was invested at Commerce Bank for a three month term at 2.25% APY. The CD will mature August 11, 2008.

**City of Basehor
June 2008 Monthly Calendar of Events**

Date	Time	Event	Location
2	6:00 p.m.	City Council Work Session & Meeting	City Hall Meeting Room
3	6:30 p.m.	Planning Commission Work Session and Meeting	City Hall Meeting Room
7	7 am-4 pm	Basehor Dairy Days	Basehor-Linwood High School
9	6:00 p.m.	City Council Work Session	City Hall Meeting Room
10	1:00 p.m.	Municipal Court	City Hall Meeting Room
11	4:00 p.m.	Park Advisory Board Meeting	City Hall Meeting Room
11	8:00 a.m.	Chamber of Commerce Board Mtg	First State Bank (rescheduled)
12	11:30 a.m.	LCDC Board Meeting	LCDC Office
	All Day	City-wide garage sale	
16	6:00 p.m.	City Council Work Session & Meeting	City Hall Meeting Room
	4:00 p.m.	Deadline to sign up for B & I Dinner (6/2	LCDC Office
20	10:30-2:00	Basehor hosts Region VII City Clerk Mtg	VFW Hall
24	3:00 p.m.	LCDC Infrastructure Meeting	LCDC Office
25	11:45 a.m.	Port Authority Meeting	Heirtage Center, 109 Delaware
	5:00 p.m.	Business & Industries Dinner	Riverfront Community Center
26	Noon	Chamber Membership Meeting	Reece Nichols Office
26	6-8 p.m.	Mayor Citizen Forum	City Hall

Next Meetings:

- July 7, 2008 Work Session & Regular Meeting
- July 14, 2008 Work Session
- July 21, 2008 Work Session & Regular Meeting

Proclamation

Whereas, the many businesses and industries located within the City of Basehor provide a significant tax base and employment for the citizen's, and,

Whereas, Kansas Governor Sebelius has proclaimed June as business appreciation month; and,

Whereas, the City of Basehor wishes to show its appreciation for the many contributions of business and industry to the well being of all Leavenworth County; and,

Whereas, Basehor, Lansing/Leavenworth, and Tonganoxie Chambers of Commerce, and Leavenworth County Development Corporation, will sponsor a Business and Industry Appreciation and Awards Luncheon on June 25, 2008 to recognize all business and industry in the county and especially those who have made a significant investment and improvement.

Now, therefore, I do hereby proclaim the week of June 23 - 27, 2008 to be BUSINESS AND INDUSTRY RECOGNITION WEEK in the City of Basehor, calling attention to the importance of business and industry to the growth and prosperity of our community and to urge all our citizens to thank our local businesses and industries for being in our communities.

In witness whereof, I have set my hand and caused the official Seal of Basehor to be affixed this 2nd day of June, 2008.

Chris Garcia, Mayor



Leavenworth County Development Corporation (LCDC) Update March – May 2008

Marketing

Steve Jack participated in three **Kansas Department of Commerce - sponsored recruitment dinners** during the quarter. These dinners provide an opportunity to network with national site location consultants. With two previous events attended by LCDC prior to the quarter, we now have a list of over 50 consultants who may at some point be assisting businesses in locating facilities in the Midwest. This quarter's events included:

Kansas City Dinner – March 15th

Phoenix Dinner – April 21st

New Jersey Dinner – May 19th

LCDC plans to participate in the **Central Veterinary Conference and Animal Health Corridor "Homecoming" event** in August sponsored by the Kansas City Area Development Council.

LCDC purchased a feature package in **Ingram's Destination KC** (Spring '08)

LCDC is planning to participate in **Ingram's Destination Leavenworth County** which is tentatively planned for November, 2008.

Leadership

Steve Jack participated in a leadership round table in Kansas City, MO on March 11th sponsored by Ingram's magazine that formed the basis of the **Greater Kansas City Economic Development Report (2008 Edition)** published in April.

LCDC hosted a meeting of **rural water districts**. That meeting led to the formation of a Utilities Task Force which was created to develop more detailed and accurate mapping of all utilities.

LCDC continued to host **Leavenworth County Air & Business Park Committee** meetings. RFPs for a feasibility study were due on May 30th. Six firms submitted proposals.

Steve attended a meeting at the Kansas City, Kansas Chamber on a proposed **K-7 Corridor Study**. This study would focus on economic development and land use on the corridor and would complement a previous study that focused on transportation issues. This initiative is being led by leaders in Wyandotte County who are interested in partnering with Leavenworth County on the project. Mark Werthmann, with the U.S. Dept. of Commerce, EDA, attended the meeting and offered the possibility of federal matching funds for the study.

Prospect Activity

We have had **10 new leads** in the past three months; 4 are still active. We are currently working a total of **11 active projects**.

Strategic Plan

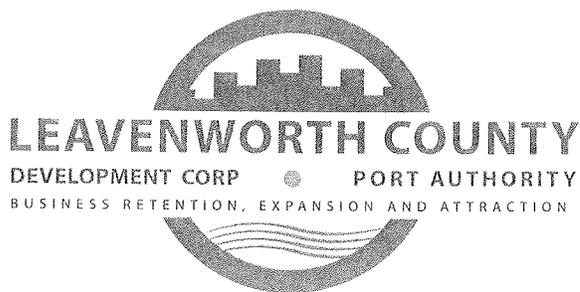
The LCDC Board approved a **new strategic plan** on March 13th designed to focus the organization on the recruitment, retention and expansion of "primary" industries and to improve efficiencies within the organization. The Board now plans to host city and county elected officials at a meeting from 5:30 to 7:30 p.m. on June 18th at the Leavenworth Country Club in Lansing to discuss the plan and get feedback from city and county commissioners and council members.

Other Announcements

Kelly Casey, LCDC administrative assistant, graduated from Southern Leavenworth County Leadership group on May 7th.

Christy Isaacs, LCDC economic development coordinator, resigned after two years with the organization to take a position as economic development director for the City of Atchison. We are currently taking applications from individuals to fill the coordinator position.

The **Business & Industry Appreciation Dinner** will be held on Wednesday evening, June 25th at the Riverfront Community Center in Leavenworth.



May 9, 2008

Mayor Chris Garcia
The City of Basehor
2620 N. 155th Street
Basehor, Kansas 66007

Dear Chris,

Governor Kathleen Sebelius has proclaimed June as Business Appreciation month. On our part to show our appreciation to our local businesses and industry, we would like to have the cities in Leavenworth County designate the week of June 23-27 as Business and Industry Appreciation Week. It should be proclaimed at the City Commission meeting **prior to Monday, June 23rd**.

Leavenworth County Development Corporation and the Basehor, Leavenworth-Lansing and Tonganoxie Chambers along with Leavenworth Main Street are sponsoring a Business and Industry Appreciation and Awards evening at the Riverfront Community Center on Wednesday, June 25th beginning at 5:00 pm. The highlight of the meeting will be a presentation of industrial awards by LCDC, business awards by the three chambers of commerce and Main Street, and the presentation of the Leavenworth County Development Corporation Volunteer of the Year Award. The cost is \$25 per person and reservations should be made before June 18th.

If I can be of any additional assistance, do not hesitate to give me a call.

Sincerely,

Steve Jack
Executive Director

AGENDA ITEM INFORMATION FORM

Agenda Item: Address drainage concerns raised by David Brown.

Department: Administration

Background/Description of Item:

This issue is being brought to the attention of the city council as follow-up to a previous meeting and at the request of David Brown.

A previous city council meetings drainage concerns in various subdivisions have been highlighted. At the request of an Iron Creek subdivision resident the issue is being brought before the city council for review.

At the January 7, 2008 city council meeting staff agreed to get a quote from a contractor on the cost of extending the drainage pipe east of David Brown's property to the south end of his lot. The public works director is working on getting a contractor to quote the work. One contractor indicated he would agree to do the work on a per hour basis.

High Point Downs (next to David Brown) – issue is whether drainage pipe should be placed to restore usable property in the drainage easement. Prior to the High Point Downs construction project Mr. Brown had full use of the 30'-wide drainage easement. Previous to his ownership the drainage easement had a large berm constructed to direct water into the drainage ditch and prevent runoff the going down Meyer Drive.

According to John Thompson, former city attorney, the city was within legal rights to use drainage easement for what it was intended. Cost to put in drainage pipe estimated at \$100 per linear foot or \$30,000 to extend pipe to where it makes a 90 degree bend.

Staff is reluctant to recommend the expenditure of \$10,000 to \$30,000 for improvements when the current design is functioning, even though it amounts to loss of use of a designated drainage easement. Extension of the pipe to the end of Mr. Brown's property might be feasibly be accomplished without additional engineering work, however an extension to the 90 degree turn point would require review by an engineer.

Funding Source:

Recommendation: Consider a bid provided by a local contractor for extension of the drainage pipe on David Brown's property.

Prepared by: Carl E. Slaugh, City Administrator
Council Date: June 2, 2008

May 19, 2008

Basehor City Council
City of Basehor
2620 N. 1255th St.
Basehor, Kansas 66007

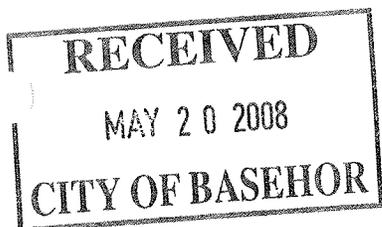
Basehor City Council:

Mark & I would like to be placed on the June 2, 2008 City Council Agenda. We would like to speak to the Mayor, City Administrator, City Council and Public Works Dept. about our deteriorating streets and curbs from 155th & Poplar east in the Pin Oak Subdivision. Another matter of interest is the gravel that has gathered at the intersection of 154th Terr. St. and Poplar to be cleaned up by the city.

Respectfully Yours,



Mark & Twila A. Heinen
Pin Oak Subdivision
3303 N. 154th Terrace
Basehor, Kansas 66007
(913) 724-1408



AGENDA ITEM INFORMATION FORM

Agenda Item: Consider a benefit district policy for the City of Basehor.

Department: Administration

Background/Description of Item:

At the May 19 city council meeting a benefit district petition was considered from Affinity Development for infrastructure improvements for Basehor Town Center. Based on the result of the votes by council members and questions that were posed by the public it appeared there was some misunderstanding of the issues and options for the city.

A benefit district policy would help list guidelines on when a benefit district would be considered appropriate, what factors should be weighed and would spell how those provisions would be adopted.

Sample policies from the cities of Lansing and Paola have been obtained for comparison.

Establishment of a policy might also open up discussion concerning the May 19 vote concerning Basehor Town Center and if reconsideration would be appropriate given a different understanding of the facts.

USD 415 Superintendent Dr. Robert Albers indicated the school district is considering a benefit district petition for Basehor Boulevard as well as water and sewer lines to serve the proposed elementary school.

Funding Source: Development Fees

Recommendation: Consider approval of a benefit district policy.

Prepared by: Carl E. Slaugh, City Administrator
Council Date: June 2, 2008

Carl Slaugh

From: ANDERSON, GARY [GANDERSON@GilmoreBell.com]
Sent: Tuesday, May 20, 2008 1:46 PM
To: Carl Slaugh; Gregory.M.Vahrenberg@pjc.com
Cc: preavey@desotoks.us
Subject: Benefit District Policies

Attachments: Development Policy Infrastructure Guidelines Hays (Final 08-03-07).doc; City of Lawrence Development Policy.doc; Special Assessment Information Salina.pdf; Olathe Benefit District Policy 2008.pdf; Picture (Metafile)

Carl - attached are a few more benefit district policies from Hays, Lawrence, Salina and Olathe. Generally, they all contain some risk mitigation measures.



Development Policy
Infrastruct...



City of Lawrence
Development P...



Special Assessment
Information...



Olathe Benefit
District Policy...

Also, as we discussed this morning, I think that I misspoke last night about the exemption from the City's statutory debt limit regarding some components of the project.

Greg - discussed the issue of the rating agencies and insurers looking at the City's debt to valuation ratio. This is one of the factors that they use in analyzing the City's debt profile.

The City also has a statutory debt limit of 30% of assessed valuation. However, certain bonds are exempt from the statutory debt limit (even though they are factored into the debt to valuation ratio by the rating agencies and insurers).

The 155th Street project, the water line costs and the Basehor Blvd. costs not abutting the school property would all count against the statutory debt limit. The costs of Basehor Blvd. in front of the school property and sewer line costs would not count against the statutory debt limit of the City.

I apologize if I caused any confusion on the statutory debt issue.

Gary Anderson
Gilmore & Bell, P.C.
2405 Grand Boulevard, Suite 1100
Kansas City, Missouri 64108-2521
Telephone: 816.218.7523
Facsimile: 816.221-1018
Direct Telephone: 816.218.7523


GILMORE BELL

BENEFIT DISTRICT BY PETITION POLICY
City of Lansing, Kansas

SECTION I. POLICY AND DEFINITION. There is hereby created a “**Development Policy for the Financing of Public Improvements**” for the City of Lansing, Kansas, relative to K.S.A. 12-6a01 *et seq.* This policy governs the financial participation of the City with regard to the construction of streets, sidewalks, storm drainage, and sanitary sewers. For the purposes of this policy, **Newly Developing Areas** shall be those areas where no substantial amounts of Public Improvements have been installed and where no substantial number of buildings have been constructed. **Substantially Developed Areas** shall be those where substantial amounts of Public Improvements exist and where a substantial number of buildings have been constructed: For the purpose of this ordinance, this shall mean the construction of one manhole and two single or multi-family homes or a single business.

For the purposes of this policy, Public Improvements shall generally mean streets, sidewalks, sewers and sewer systems, and storm water drainage and control structures.

The City of Lansing does not intend the use of benefit district financing for the construction of ordinary and typical Public Improvements required within subdivision developments or the typical extension of utilities to subdivision developments.

Construction costs for Public Improvements shall include the cost of preparing preliminary and final engineering plans and specifications, acquisition of easements and rights-of-way, bid-phase services and expenses, supervision and inspection of the project as required by the City, production of as-constructed plans, actual construction costs and any administrative or finance costs the City shall incur as a result of the project, as permitted by law. Pursuant to K.S.A. 12-6a01, construction costs shall also include an administrative fee paid to the City in an amount equal to 5% of the total cost of the improvement.

Before any Public Improvement may be constructed, all construction documents shall be accepted by the City Council and endorsed by both the Director of Public Works and the City Engineer. All Public Improvements shall be constructed in accordance with the City of Lansing Technical Specifications and Design Standards. After completion of construction to City’s satisfaction, all Public Improvements shall be dedicated to the City and the City shall retain complete ownership and control (except as otherwise noted, i.e. sidewalks, private common areas, private recreational tracts not open to the public) and no other party shall have any interest in the Public Improvement.

A Developer is a person(s) petitioning for extension of Public Improvements.

SECTION II. ASSESSMENT METHODS. It is the burden of the petitioner for improvements to indicate on the petition the recommended method of allocating the costs

of improvements within the benefit district. Petitioners are encouraged to consult with the City's staff and its bond counsel before submitting an executed petition to make sure the proposed petition complies with state and federal law and conforms to the City's policy. The methods available for assessing costs include but are not limited to:

Streets/Sidewalks

1. Adjusted front foot
2. Front foot
3. Square foot
4. Property Value
5. Per lot

Sanitary Sewers

1. Front foot
2. Square foot
3. Adjusted front foot
4. Property Value
5. 75% by lot/25% by area
6. Per lot

SECTION III. NOTICE TO PROPERTY OWNERS. The City shall require the petitioner to notify any property owner within a proposed benefit district who is not represented by the petition that certain improvements have been requested and the date, time, and place the City Council will consider authorizing said improvements. The petitioner will be responsible for providing to the City a certified list of property owners in the proposed benefit district.

SECTION IV. STANDARDS AND FINANCING. From and after the effective date of the Resolution, the following policy shall govern the installation of Public Improvements, subject to the limitations in Section V:

A. Streets

1. When a sufficient petition has been filed requesting the installation of residential streets, 100% of the cost involved in the improvement shall be paid by the benefit district, unless otherwise stipulated by the City Council.
2. Bridges, culverts, and storm sewers within street rights-of-way necessary to maintain adequate road design will be considered part of the street construction and not storm drainage. The amount of City participation, if any, will be determined by the City Council in each case.

B. Sidewalks/Trails

1. For benefit district financing, all petitions for street improvements shall include sidewalk/trail improvements as required by the Zoning Ordinance and Subdivision Regulations unless the City Council has specifically waived the sidewalk requirement for the improvement.
2. In newly developing areas and subdivisions of the city, the total cost of all sidewalk/trail improvements shall be borne by the property benefited in the improvement district.

3. Pursuant to the state law requirement that adjoining property owners are responsible for maintaining and repairing sidewalks, the City will generally not participate in funding for the repair and maintenance of existing sidewalks adjoining private property, except as the City Council shall determine.

C. Storm Drainage Improvements

1. If the City Council determines that a drainage course should be closed in a substantially developed area, the amount of City participation and method of financing will be determined by negotiation between the City and the affected property owners in each case.
2. The use of special assessment financing will be limited to streets and their associated storm sewers, sidewalks, and sanitary sewers where such improvement is to the benefit of the City. However, storm drainage improvements, regardless of their association with the street network, will be eligible for special assessment financing in those substantially developed areas of the City. The City will not participate in the cost or use special assessment financing for storm sewers (other than those associated with street construction for streets constructed as part of a benefit district) in newly developing areas.
3. In cases where the developer determines, and the City Council concurs, that closed storm sewers beyond the normal storm sewer associated with the streets are necessary in newly developing areas, the cost will be entirely borne by the developer without the use of benefit district financing. Design standards of the City must be followed and the final design approved by the City Engineer and Director of Public Works.

D. Sanitary Sewers

1. The total cost of all sanitary sewer construction shall be borne by the property benefited in the improvement district except as otherwise provided in this policy.
2. All sewer lines shall be sized for the projected ultimate development of the watershed as determined by the City and constructed in accordance with the specifications of the City. The City may participate in the financing of improvements at the City Council's discretion, particularly in any over-sizing of improvements that may be required by the City.
3. The cost of expanding or constructing lift station facilities shall be borne by the developer. In cases where the City determines lift station facilities should be sized to accommodate future development, the developer shall pay for any costs directly attributable to the development (i.e. pumps) and shall pay a proportionate share of all other construction costs of the pump

housing, wet well, force main and other appurtenances. Proportionate share shall be determined on the basis of the ratio the development area bears to the total area to be served by the facility. The City may pay the remaining costs at the discretion of the City Council.

4. Development that occurs subsequent to the construction of a lift station or any other sanitary sewer improvement for which some of the costs have been paid by the City (described in 3) shall pay a benefit fee as assessed by the governing body before being allowed to discharge sewage to the facility. This fee shall be in addition to hook-up and other fees charged for sewer service. The fee shall be based upon the proportionate assessment the development would have paid had it been included in the benefit district for the original construction, plus the amount of interest that would have been levied on such development had it been included in the original improvement district.
5. The City may serve isolated subdivisions or users. The user will be responsible for all costs of this extension. The point of connection will be determined by the City.
6. After completion of construction to City's satisfaction of sewer lines and facilities, all lines and facilities shall be dedicated to the City and the City shall retain complete ownership and control of the lines and facilities. The City shall have the right to add users to extensions and to add new extensions without the consent of any party contributing to the cost of the improvement.
7. No new sewer customers will be accepted outside the City limits unless allowed by the City Council by separate agreement.

E. Utilities

Special assessment financing shall not be provided for the financing of utilities other than sanitary sewer, except as approved by the City Council.

F. Traffic Engineering Study

Each petition for a benefit district to provide public infrastructure to serve an industrial or commercial development will require a study to determine projected impacts on traffic signal/control requirements for public streets. The City will select a traffic engineering firm to do this engineering study and may require the use of traffic models, traffic impact/analysis studies, third party studies, and other related information to determine the need for traffic control devices such as traffic signals near the development. The contract for this work will be administered by the City, be invoiced to the petitioner/developer, and shall be considered part of the preliminary engineering costs to be borne by the petitioner/developer until such time as temporary financing is provided for construction costs.

G. Off-Site Improvement

The requirements for off-site improvements adjacent or proximate to developments may be added to approval of final development plans. Off-site improvements include, but are not limited to, streets, traffic signals, streetlights, water mains/extensions, sewer mains, intersections and sidewalks/trails. The City Council will ask for staff evaluation of the impact of the development on these Public Improvements and may require payment for the recommended improvements or an agreement to construct from the developer prior to issuance of building permits.

H. Cost-Benefit Analysis

If directed by the City Council, a cost-benefit analysis for the proposed district will be performed by a qualified firm to be hired by the City. The cost of the analysis will be paid by the petitioner(s), and will be an eligible benefit district expense should the benefit district be approved.

SECTION V. SPECIAL ASSESSMENT FINANCING.

A. Letter of Credit

When a petition has been filed requesting the installation of Public Improvements eligible for special assessment financing, the petitioner and/or developer shall be required to provide adequate assurance of full annual payment of special assessments before a contract for the construction is awarded. This assurance shall be by an irrevocable letter of credit identifying the City as the beneficiary, in a form acceptable to the City, and for an amount equal to not less than the total amount of annual assessments, including interest, to be levied against property in the improvement district, and shall be in effect for a three-year period. Any payments collected from the letter of credit for delinquent assessments on property not owned by the petitioner(s) at the time of the formation of the district (unless purchased by the petitioner(s) subsequent to the formation of the district) shall be reimbursed to the petitioners by the City at such time the delinquent assessments are paid, or from the proceeds of the sheriff's sale of the delinquent property. Special assessment financing will not be approved if the petitioner and/or developer owns property directly or indirectly (i.e. through partnership or corporate interest) that has delinquent real or delinquent special assessment taxes or has signed a personal guarantee of full payment of a special assessment which is delinquent.

B. Financing Structure

Special assessment financing has two phases, temporary and permanent. Eligible costs borne by the petitioner/developer that are not submitted to the City prior to

the commencement of temporary or permanent financing, as described below, shall become the sole responsibility of the petitioner/developer.

1. Temporary Financing

Subsequent to the approval of a special benefit district, the City will provide temporary special assessment financing within a reasonable time after construction bids are received. The actual construction phase of the project may not commence until the city has received proceeds from the temporary financing. Costs eligible for temporary financing shall include reimbursement of costs for actual preliminary and final engineering plans and specifications borne by the petitioner/developer, costs for acquisition of easements and rights-of-way, construction costs as stipulated in the accepted construction bid, and issuance costs. Any easements or rights-of-way acquisition costs incurred prior to the receipt of proceeds from temporary financing shall be borne by the petitioner/developer and reimbursed by the City during the next financing phase after disclosure of same is made. Temporary financing is not available prior to the commencement of preliminary and final engineering plans and specifications; these costs shall be initially borne by the petitioner/developer and will be reimbursed by the City on an actual basis at the time temporary financing is provided for construction costs. Ineligible costs for temporary financing are City permitting and inspection fees, and all service connection fees charged by the City as provided by the City Code or by Ordinance. These fees are in addition to construction and other costs, and must be paid by the petitioner/developer prior to the issuance of any building permits.

2. Permanent Financing

Permanent financing will be provided once the project is completed and the attendant statutory requirements have been met. Construction costs in excess of the accepted construction bid shall not be permanently financed; these shall be paid to the City by the petitioner/developer, by a private funding source acceptable to the City, before permanent financing is commenced. Cost overruns resulting from a changed scope of project required by the City shall be eligible for permanent financing. The City may withhold further building or occupancy permits until these costs are paid. Costs eligible for permanent financing include those which have been temporarily financed, interest costs, issuance costs, and the City's 5% administrative fee (Section 1).

3. Term

The term for the permanent phase of special assessment financing shall be 10 years. In extraordinary circumstances, the City Council may choose to

extend this term to no more than 15 years. Such a determination should be made only after comparing the additional benefit gained by the petitioner/developer to the additional liability incurred by City taxpayers.

C. Performance

The petitioner/developer shall be responsible for any of the petitioner's(s')/ developer's unpaid assessments against property held by the petitioner(s)/developer at the time of formation of the benefit district, for the term of the special assessment financing. The City shall cease issuance of building and occupancy permits within the special benefit district until such delinquent assessments are paid.

ADOPTED this 20th day of December, 2007.

ATTEST: (Seal)

Sunshine Petrone, City Clerk

Kenneth W. Bernard, Mayor

RESOLUTION NO. 10-14-03B
**A RESOLUTION ESTABLISHING THE
DEVELOPMENT POLICY FOR THE FINANCING
OF PUBLIC IMPROVEMENTS WITHIN THE CITY
OF PAOLA, KANSAS.**

WHEREAS, it is the policy of the Governing Body to encourage development within the City limits; and

WHEREAS, the city wishes to repeal and revise Resolution 3-14-95; and

WHEREAS, the Governing Body uses special assessment financing as one method of ensuring the completion of public improvements; and

WHEREAS, the Governing Body has determined that high construction standards for public improvements reduce future maintenance cost; and

WHEREAS, the Governing Body has determined that the special assessment method of financing public improvements allows the pass-through of tax free interest advantages to the consumer; and

WHEREAS, the Governing Body, in return for providing the financing for public improvements, requires that all petitioners and/or developers provide adequate assurance of full annual payment of special assessments before their petitioned improvements are approved; and

WHEREAS, it is understood that the Governing Body is under no obligation to proceed on any petitioned improvement; and

WHEREAS, the Governing Body reserves the right to vary the percentage of City participation, if any, when unusual circumstances so warrant; and

WHEREAS, nothing in this policy shall prohibit any individual from financing and constructing public improvements by other methods allowed by law; and

WHEREAS, all construction of public improvements shall conform to City standards and specifications; and

WHEREAS, the Governing Body retains the authority to initiate improvements by the resolution method;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY
OF THE CITY OF PAOLA, KANSAS:**

SECTION I. POLICY AND DEFINITION. There is hereby created a “**Development Policy for the Financing of Public Improvements**” for the City of Paola, Kansas. This policy governs the financial participation of the City with regard to the construction of streets, sidewalks, storm drainage, sanitary sewers, underground wiring and water improvements. For the purposes of this policy, **Newly Developing Areas** shall be those areas where no substantial amounts of public improvements have been installed and where no substantial number of buildings have been constructed. **Substantially Developed Areas** shall be those areas where substantial amounts of public improvements exist and where a substantial number of buildings have been constructed.

For the purpose of this policy, Public Improvements shall generally mean streets, sidewalks, sewers and sewer systems, water production and distribution systems, and storm water drainage and control structures.

Construction costs for Public Improvements shall include the cost of preparing preliminary and final engineering plans and specifications, acquisition of easements and rights-of-way, supervision and inspection of the project, actual construction costs and any administrative or finance costs the City shall incur as a result of the project, as permitted by law. Pursuant to K.S.A. 12-6a01, construction costs shall also include an administrative fee paid to the City in an amount equal to 5% of the total cost of the improvement.

All Public Improvements shall be constructed to City standards and specifications. After completion of construction to City’s satisfaction, all public improvements shall be dedicated to the City and the City shall retain complete ownership and control (except as otherwise noted, i.e. sidewalks) and no party shall have any interest in the public improvement.

A Developer is a person(s) requesting extension of Public Improvements.

SECTION II. ASSESSMENT METHODS. It is the burden of the petitioner for improvements to indicate on the petition the recommended method of allocating the costs of improvements within the benefit district. Petitioners are encouraged to consult with the City’s staff and its bond counsel before submitting an executed petition to make sure the proposed petition complies with state and federal law and conforms to the City’s policy. The methods available for assessing costs including but not limited to:

- | Streets/Sidewalks | | Sanitary Sewers | |
|--------------------------|---------------------|------------------------|------------------------|
| 1. | Adjusted front foot | 1. | Front foot |
| 2. | Front foot | 2. | Square foot |
| 3. | Square foot | 3. | Adjusted front foot |
| 4. | Property Value | 4. | Property Value |
| 5. | Per lot | 5. | 75% by lot/25% by area |

SECTION III. NOTICE TO PROPERTY OWNERS. The City may require the petitioner to notify any property owner within a proposed benefit district who is not represented by the petition that certain improvements have been requested and the date, time, and place the City Council will consider authorizing said improvements. The petitioner will be responsible for providing to the City a current list of property owners in the proposed benefit district.

SECTION IV. STANDARDS AND FINANCING. From and after the effective date of the Resolution, the following policy shall govern the installation of public improvements, subject to the limitations in Section V:

A. Streets

1. When a sufficient petition has been filed requesting the installation of residential streets 28 feet in width in newly developing areas, 100 percent of the cost involved in the improvement shall be paid by the benefit district.
2. When a sufficient petition has been filed requesting streets involving widths in excess of 28 feet in newly developing areas, the apportionment of cost shall be based on a formula whereby the benefited property shall pay 100 percent of the cost of the first 32 feet of the improvement, including two curbs, and the city-at-large may pay the cost of the additional width. The City may pay the cost, exclusive of the cost of the first 32 feet, for the additional width of arterial streets wider than 32 feet.
3. Bridges and culverts within street right-of-way necessary to maintain adequate road design will be considered part of the street construction and not storm drainage. The amount of City participation will be determined by the City Council in each case.

B. Sidewalks

1. For benefit district financing, all petitions for street improvements shall include sidewalk improvements as required by the Zoning Ordinance and Subdivision Regulations unless the City Council has specifically waived the sidewalk requirement for the improvement.
2. In newly developing areas and subdivisions of the city, the total cost of all sidewalk improvements shall be borne by the property benefited in the improvement district.
3. Pursuant to the state law requirement that adjoining property owners are responsible for maintaining and repairing sidewalks, the City will generally not participate in funding for the repair and maintenance of existing sidewalks adjoining private property, except as the City Council shall determine.

C. Storm Drainage Improvements

1. Throughout the City, the use of open drainage will be encouraged. If the City Council determines that a drainage course should be closed in a substantially developed area, the amount of City participation and method of financing will be determined by negotiation between the City and the affected property owners in each case.
2. The use of special assessment financing will be limited to streets, sidewalks, and sanitary sewers where such improvement is to the benefit of the City. However, storm drainage improvements will be eligible for special assessment financing in those substantially developed areas of the City. The City will not participate in the cost, nor use special assessment financing, for storm sewers in newly developing areas.
3. In cases where the developer determines, and the City Council concurs, that closed storm sewers are necessary in newly developing areas, the cost will be entirely borne by the developer without the use of special assessment financing. Design standards of the City must be followed and the final design approved by the City.

D. Sanitary Sewers

1. The total cost of all sanitary sewer construction shall be borne by the property benefited in the improvement district except as otherwise provided in this policy.
2. All sewers lines shall be sized for the projected ultimate development of the watershed as determined by the City and constructed in accordance with the specifications of the City. The City may participate in the financing of improvements particularly in any over sizing of improvements that may be required by the City.
3. If relief sewers are required due to overloading of existing lines in the system, the cost involved shall be borne 100 percent by the City.
4. The cost of expanding or constructing lift station facilities shall be born by the developer. In cases where the City determines facilities should be sized to accommodate future development, the developer shall pay for any costs directly attributable to the development (i.e. pumps) and shall pay a proportionate share of all other construction costs of the pump housing, wet well, force main and other appurtenances. Proportionate share shall be determined on the basis of the ratio the development area bears to the total area to be served by the facility. The City may pay the remaining costs.

5. Development that occurs subsequent to the construction of a lift station or any other sanitary sewer improvement for, which some of the costs have been paid by the City (described in 4) shall pay a benefit fee before being allowed to discharge sewage to the facility. This fee shall be in addition to hook-up and other fees charged for sewer service. The fee shall be based upon the proportionate assessment the development would have paid had it been included in the benefit district for the original construction, plus the amount of interest that would have been levied on such development had it been included in the original improvement district.
6. The City may serve isolated subdivisions or users. The user will be responsible for all costs of this extension. The point of connection will be determined by the City.
7. After completion of construction to City's satisfaction of sewer lines and facilities, all lines and facilities shall be dedicated to the City and the City shall retain complete ownership and control of the lines and facilities. The City shall have the right to add users to extensions and to add new extensions without the consent of any party contributing to the cost of the improvement.
8. No new sewer customers will be accepted outside the City limits.

E. Underground Wiring

Electrical supply lines, cable television services and other such services in new subdivisions shall be underground in the right-of-way. Costs of installing services shall be paid by the developer. Special assessment financing shall not be provided for the financing of underground wiring.

F. Traffic Signal Escrow Fee

Each industrial or commercial development will be studied to determine projected impacts on traffic signal/control requirements for public streets. The City may use traffic models, city traffic impact/analysis studies, studies provided by private traffic engineering firms and other related information to determine the need for traffic control devices such as traffic signals near the development. A development may be required to provide an appropriate share of that cost as a stipulation to rezoning or final plan approval.

G. PUD/Commercial Development - Off-Site Improvement

The requirements for off-site improvements adjacent or proximate to planned unit developments or commercial developments may be added to zoning approval or final development plans. Off-site improvements include, but are not limited to, streets, traffic signals, streetlights, water mains/extensions, sewer mains,

intersections and sidewalks. The City Council will ask for staff evaluation of the impact of the development of these public improvements and may require payment for the recommended improvements or an agreement to construct from the developer prior to issuance of building permits.

SECTION V. SPECIAL ASSESSMENT FINANCING.

- A.** When a petition has been filed requesting the installation of public improvements eligible for special assessment financing, the petitioner and/or developer shall be required to provide adequate assurance of full annual payment of special assessments before a contract for the construction is awarded. This assurance shall be by an irrevocable letter of credit identifying the City as the beneficiary, in a form acceptable to the City, and for an amount equal to not less than the average amount of assessments, plus interest, to be levied against property in the improvement district for a three-year period. Special assessment financing will not be approved if the petitioner and/or developer owns property directly or indirectly (i.e. through partnership or corporate interest) that has delinquent real property taxes or delinquent special assessment taxes or has signed a personal guarantee of full payment of a special assessment which is delinquent. When a lot has been sold or title transferred to an unrelated party, the letter or credit may be reduced by the amount of assessment, plus interest, which would have been levied against such lot for a three-year period.

- B.** When a petition has been filed requesting special assessment financing to install eligible public improvements in newly developing areas, the percentage of the cost of the improvements covered by special assessment financing shall not exceed 75% including all construction, engineering, legal, inspection, temporary financing and related costs. The petitioner's and/or developer's share of not less than 25% of the estimated engineering costs, shall be given to the City of Paola prior to the City incurring any monetary obligation for the engineering work; the petitioner's and/or developer's share of not less than 25% of the estimated construction improvement costs shall be given to the City of Paola prior to the City incurring any monetary obligation for the construction improvements. The developer's share may be in the form of cash or an irrevocable letter of credit, which will be drawn upon. When the improvements are completed and total costs of the improvement are ascertained, any funds in excess of the petitioner's and/or developer's share shall be refunded by the City. The requirements of this paragraph may be waived by the City Council for industrial, commercial and institutional developments when deemed appropriate.

- C.** In substantially developed areas, the City Council may waive the requirements of this section.

SECTION VI. WATER SERVICE.

GENERAL

Special Assessment financing shall not be available for the construction of water service except as provided in Section VI-10. General terms under which water service will be extended to serve new customers will include, but not necessarily be limited to, the following conditions:

1. All customers obtaining water service from the City of Paola shall conform to all rules, regulations, ordinances, rates, conditions of service, and practices now prevailing or which may be established by the City in the future.
2. The City reserves the right to refuse, or to limit water service, where the extension of water service conflicts with the general policy of the City or jeopardizes water service to then existing customers.
3. All new customers shall be within the City limits except contract sales to rural water districts, other municipalities or government agencies. Water distribution mains will be extended into areas within the City limits of Paola only after the area has been platted in accordance with the subdivision requirements of the City.
4. Water service will not be extended to any user until provisions have been made for the financing of necessary sanitary sewerage facilities is assured, with the following exceptions:
 - a. Where water is to be used for industrial, agricultural, or other purposes that do not result in the production of objectionable wastes.
 - b. Where the construction of sanitary sewers cannot be consummated due to reasons beyond the control of the proposed user and where user can provide independent methods of sewage disposal in a manner approved by the public health authorities and by the City. Septic tanks or similar means of disposal shall not be approved for other than isolated farm dwellings.
5. All water mains, valves, fire hydrants, fire lines, service connections to the property line, meters, an appurtenances will be constructed in accordance with the City's standards and specifications and, upon completion, dedicated to the City.

6. All local water distribution mains and appurtenances will be normally constructed by the City. Full construction costs are to be paid with full by the property owner, developer, or others desiring the distribution main installations. Estimated construction cost payment is to be made in advance of construction. The owner may elect to contract the construction of water main extensions. Construction shall occur in conjunction with the installation of streets and sidewalks, and shall be determined, coordinated and reviewed by the Public Works Director. The City will inspect, at owner's cost, all privately constructed water mains to determine compliance with City specifications.
7. The cost of a new water main extension with a diameter up to 12 inches shall be paid by the developer/property owner.
8. Where short main extensions are desired on isolated streets, within platted areas, and where such extensions serve a diversified property ownership consisting of three or more property owners, the City will at its option, make such main extensions when payment is made in full. Costs will be apportioned among the property owners on the basis of platted front footage. Where distribution mains serve irregular shaped lots (such as may be encountered in cul-de-sacs) where the platted front footage is disproportionate to the size of the lot as compared to other lots served, the adjusted front footage used for the purpose of determining the charge for distribution main construction shall be calculated as 0.817 times the square foot of the area of the lot. The charge for distribution mains serving corner lots will be established on the basis of the lesser of the two front footages regardless of the location of the main from which service is rendered.
9. In addition to the direct payment for local distribution mains within their areas, developers of isolated properties/subdivisions shall pay the costs of line extensions up to 8" in diameter. However, if a development requires a line size larger than 8" for purposes of supplying its consumption or fire protection needs, the cost of the larger service will be borne by the development. In instances where the City determines a larger diameter line is desirable to provide for future growth, the City will pay the difference in construction and materials costs between the estimated costs of a 8" diameter line and the actual costs of the larger diameter line. The connection shall be made at a point where the City determines it can provide adequate service. The City shall retain ownership and complete control of the connecting pipelines, as well as all other distribution lines, and shall have the right to connect additional customers in accordance with established rules and regulations, or future modifications thereof. The developers of the isolated subdivision shall have no interest in the connecting pipeline other than the right to service.

10. The City may, at its option, make extensions to the water distribution system to serve special institutional or industrial developments where contracted or estimated revenues will justify the cost of such extensions. Where distribution system extensions abut commercial and industrial property and provide service under normal conditions of service, the property shall be charged for distribution system mains in the same manner outlined above. The City may, at its option, allow special assessment financing of waterline improvements for commercial or industrial development, the assessment method to be determined by the City and the petitioner.
11. The City will provide water service at the pressures existing in the water system. Any customer requiring pressures higher or lower than normally maintained in the system, or abnormal quantities of the water for fire protection or other special purposes, shall provide the additional equipment required such as pressure reduction devices or additional pumping and storage facilities within his property and shall also pay for the additional expense to the City in providing additional transmission mains or other facilities required to provide such special services. Service of a special nature will be rendered only at the option of the City and under conditions, which will not interfere with normal service to the other customers. Nothing in this section shall be deemed to relieve the developer from insuring that adequate water supply for fire suppression purposes is provided as determined by the City.
12. Water for fire protection will be provided by the City through fire hydrants installed at intervals determined by the City. The cost of installation of hydrants shall be borne by the developer or entity desiring such expansion of service.
13. The developer/property owner shall be responsible for all service connection fees charged by the City as provided by the City Code or by Ordinance. These fees are in addition to construction and other costs.

ADOPTED this 14th day of October, 2003.

ATTEST: (Seal)

Jill Ann Holmes, City Clerk

Floyd J. Grimes, Mayor

MATRIX FOR DEVELOPMENT/FINANCE COSTS

Improvement	Developer Cost*	City Cost	Comments
On-Site Improvements:			
Lateral Sewer and Trunk Main Sewers Water	100% 100% of all distribution lines**	Relief Lines 100% 100% of transmission lines	(1)
Relief Sewer Streets	-0- 100% first 32'	100%	
Storm Sewers	100%		(2) (3)
Water Meter/Tap	100%	0%	
Sewer Lift Station	100% construction	100% maintenance and operation	(4)
Sidewalks/Bike Trails	100%	-0-	
Off-Site Improvements:			
Street Lights			
Traffic Signals	-0- Refer to Section F	100%*** Refer to Section F	
Street Improvements	Refer to Section G	Refer to Section G	
Storm Drainage	Refer to Section G	Refer to Section G	
Electricity/Street lights	-0-	100%	(5) (6)
Telephone	100%	-0-	
Cable	100%	-0-	
Natural Gas	100%	-0-	
Parks	-0-	100%	(7)

* City considers Benefit District Financing Requests (usually 10 years). Benefit Districts require the developer to pay 25% of the engineering and construction costs up-front. Generally available for street and sewer construction.

** Distribution lines are any lines up to 12" in diameter.

*** Yearly rental with KCPL for a typical subdivision. KCPL charges developer for subdivision costs, trenching, etc.

(1) For cost sharing related to extension of transmission and distribution lines to isolated development, see Section VI (9).

(2) City does not allow for use of Benefit District Financing for storm sewers in newly developing areas. Catch basins, crossroad pipes, etc., are considered part of the street.

(3) City considers Benefit District Financing in substantially developed areas. Open drainage is encouraged throughout the city. City participation is negotiated.

(5) Lift station means a relatively small packaged facility designed to serve an individual development rather than a substantial watershed. Use available only upon approval of the City.

- (5) Developers negotiate with KCPL, KPL Gas, Southwestern Bell Telephone and Cable TV of Paola for installation costs.
- (6) Development costs for underground wiring to service building and streetlights are 100% cost to the developer.
- (7) Developers must submit a landscape plan and complete the plan during construction.

MATRIX FOR DEVELOPMENT/FINANCE COSTS

Improvement	Developer Cost*	City Cost
Wastewater Treatment Plant	-0-	100%
Sanitary Sewer Collection System	100 % Lateral and Trunk Main Lines	100% Interceptor Relief Lines
Sanitary Sewer Pump Station	Proportionate share of Construction costs*	Proportionate share of construction costs*/100% Operation/Maintenance
Water Treatment Plant	-0-	100%
Water Distribution System Mains - New	100% of all distribution lines	-0-
Water Distribution System Mains - Rehab	-0-	100%
Elevated Storage	-0-	100%
Water Distribution System-Transmission	-0-**	100%**
Water Tap/Meter	100%	-0-

* See Section IV D (4)
 ** See Section VI (9)

Carl Slaugh

From: Sadie Robb [codeenforce@cityofbasehor.org]
Sent: Tuesday, May 20, 2008 4:10 PM
To: 'Carl Slaugh'
Cc: Mark Lee
Subject: Excise Tax Payment Process
Attachments: Memo to Carl - 2008520.doc; Just Commercial.xls

Carl,

Attached are the memo and spreadsheet I have prepared in preparation for our meeting tomorrow.

The memo discusses the current payment procedure, and recommends a further step in the process. The spreadsheet shows all properties that have paid an excise tax since 2002, and subdivisions that have also paid excise taxes.

See you tomorrow at 9:00.

Sadie Robb

Planning & Zoning Department
2620 N. 155 Street
Basehor, KS 66007

(913) 724-1370, ext. 41

TO: Carl Slaugh
CC: Mark Lee
FROM: Sadie Robb
DATE: 20 May 2008
SUBJECT: Procedure for collection of Excise Taxes

Currently, excise taxes are collected at the time of permit issuance. As per the document entitled "Building Permit Process, Assessment of Fees, Collection of Excise Tax, Documentation," dated February 7, 2008, Item 6 orders that *"All fees are paid to the Assistant City Clerk, Receptionist, Treasurer or City Clerk at the time of permit issuance. The treasurer will record the permit number, subdivision, and name of the individual making payment."*

Because previous policy allowed excise tax monies to be collected at the time of platting, and because of the significant change of personnel in the past 5 years, some excise taxes have been paid at both the time of platting and the time of permit issuance. The current policy may prevent this mistake from occurring again. However, the mistake can be further safeguarded against by using the common database, created during this audit, to record new building permits, assessed fees, and payment receipts.

It is recommended that the database be used by the building inspector, planning department, and administrative department in keeping track of all types of permits and payments. In doing this, multiple parties can monitor the excise tax payment process. In addition, utilizing one common database will establish a procedure for documentation that can be continued through staff and/or policy changes.

Permit No.	Date Issued	Project Address	Applicant	Use	Excise Tax Fee	Total Fees	Excise Tax Paid	Total Paid
Pinehurst North								
C-2-06	8/11/2003	15604 Pinehurst Dr.	Dan Henry Const.	Commercial	\$4,627.44	\$13,626.56	\$4,627.44	\$13,626.56
C-3-06	4/12/2006	15506 Pinehurst Dr.	First State Bank	Bank	\$5,920.20	\$13,210.06	\$5,920.20	\$13,210.06
C-7-03	8/13/2003	15718 Pinehurst Dr.	Community National Bank	Bank	\$0.00	\$13,979.56	\$0.00	\$13,979.56
C-3-07	11/13/2007	15415 Pinehurst Dr.	Medicine Store	Commercial	\$4,680.00	\$10,997.89	\$4,680.00	\$10,997.89
Basehor Plaza								
C-2-05	6/7/2004	15541 Wolf Creek Pkwy	Casey's Retail Co.	Casey's	\$4,713.48	\$10,547.74	\$4,713.48	\$10,547.74
Prairie Gardens								
C-9-03	10/22/2003	16067 Garden Parkwye	John Breuer	Pool House	\$0.00	\$23,451.57	\$0.00	\$23,451.57
C-4-06	12/21/2006	1400 N. 158 St.	erthem Construction, Inc.	Library	\$11,763.00	\$23,081.75	\$11,763.00	\$23,081.75
Honey Creek Farms								
7/1/2004								
Miscellaneous								
C-1-04	9/15/2004	2624 N. 155th St	Fairmount Township	Fire Station	\$2,177.64	\$4,751.06	Council Waived	Council Waived
C-1-05	7/26/2005	2402 N. 155th St	Rusty West	US Post Office	\$7,875.00	\$14,568.58	\$7,875.00	\$14,568.58
C-3-05	8/12/2005	14690 Parallel	Marshall Properties	Record News	\$4,662.00	\$6,452.25	\$4,662.00	\$6,452.25
C-4-03	3/25/2003	4605 Clubhouse Dr.	Copeland Construction	Lakes Clubhouse	\$2,405.00	\$12,599.88	\$2,405.00	\$12,599.88
C-3-03	3/18/2003	15530 State Ave.	Mario Moore	Car Wash	\$7,041.04	\$11,456.04	\$7,041.04	\$11,456.04
					\$ 90,953.28		\$ 90,953.28	

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider approval of equipment bids for the Wastewater Treatment Plant expansion.

Department: Administration

Background/Description of Item:

Solicitations were sent out for the specialized equipment to be used on the Wastewater Treatment Plant (WWTP) expansion with a bid opening of May 20. The original bid opening was extended at the request of one supplier, then revised again waiting for KDHE approval of the bid documents.

Three suppliers bid on the equipment. The low bidder did not include a bid bond.

The existing plant has EIMCO equipment and there is a preference for the EIMCO supplied equipment. According to the Burns & McDonnell engineer EIMCO does have a reputation for providing better technical service when problems existing and in providing input on process design recommendations.

The engineer has also identified energy savings due to the variation in design and output of the pumps or motors that have been quoted.

Concerns were raised by the city attorney in selecting other than the low bid unless the bidder did not meet specified criteria and was spelled out in the bid documents. Otherwise the low bidder would be able to claim a reimbursement for the cost of putting together the bid.

A staff preference for the EIMCO equipment will be discussed in terms of the perceived benefit weighed against the higher cost.

Copies of the three bids will be distributed on CDs.

Supplier	Price
EPS (Environmental & Process Systems, Inc.	\$565,330
EIMCO	\$659,938
WesTech	\$604,143

Funding Source: Sewer Fund

Recommendation: Approve a bid for the equipment to be used on the Wastewater Treatment Plant.

Prepared by: Carl E. Slaugh, City Administrator
Council Date: June 2, 2008

AGENDA ITEM INFORMATION FORM

Agenda Item: Consider contract for health, life, and dental insurance with Blue Cross Blue Shield of Kansas from July 1, 2008 – June 30, 2009 or direct staff to go out for bid.

Department: Administration

Background/Description of Item:

The City of Basehor received a 27% increase in health insurance premiums (BCBS) and a 3.8% increase in dental insurance premiums (MARCIT). In anticipation of an increase in health insurance, 26% was figured into the 2008 budget.

<u>Medical</u>	<u>Employee</u>	<u>Emp/CH</u>	<u>Emp/Spouse</u>	<u>Emp/Dep</u>	<u>Retiree</u>
Current	249.26	482.26	535.01	767.99	424.53
Option 1 (\$500/\$1000 family)	317.29	612.70	681.27	976.67	440.27
Option 2 (\$1,000/\$2000 family)	299.72	579.14	643.50	922.90	418.34
Option 3 (\$1500/\$3000 family)	285.84	552.65	613.66	880.45	407.52
<u>Dental</u>					
MARCIT (Delta)	31.00	48.00	48.00	48.00	48.00
BCBS PPO Option 1	24.75	29.94	28.19	56.39	24.73
BCBS PPO Option 2	27.79	35.68	31.76	67.44	27.79

By adopting the triple option health insurance plan, the employee has the option of choosing their deductible and premium.

Funding Source: Employee Benefits

Recommendation: Approve contract with Blue Cross Blue Shield for health (Triple Option), life, and dental insurance for period July 1, 2008 – Jun 30, 2009.

Prepared by: Carl E. Slaugh, City Administrator
 Council Date: June 2, 2008

Benefit Summary for City of Basehor
Blue Choice Triple Option Comprehensive Major Medical Program
Effective July 1, 2008 — June 30, 2009

To receive maximum benefits under this program you must receive services from a contracting Blue Choice provider. These providers accept the BCBSKS payment allowance as payment in full. You are responsible for deductible, coinsurance and copay amounts.

If you use a **non-contracting** Blue Choice provider, benefits will be subject to an additional 20 percent coinsurance (to a combined maximum of \$2,000 per person, \$4,000 family each benefit period). You are also responsible for any difference between our payment allowance and the provider's charge, as well as deductible, coinsurance and copay amounts.

Member Pays	
Triple Option (Deductible per group anniversary benefit period) Option 1 Option 2 Option 3	\$500/\$1,000 individual/two-or-more persons \$1,000/\$2,000 individual/two-or-more persons \$1,500/\$3,000 individual/two-or-more persons
Coinsurance (Member portion for most services)	20% of allowed amounts after deductible has been met; up to \$1,000/\$2,000 individual/two-or-more persons maximum
Annual Out-of-Pocket Maximum (includes deductible/coinsurance) Copays, Non biologically based outpatient nervous & mental and substance abuse services do not apply to the annual out-of-pocket amount. At the group's anniversary, an employee can upgrade no more than one deductible level within an option per benefit period. An employee can downgrade to any deductible level within an option per benefit period.	Option 1 \$1,500/\$3,000 individual/two-or-more persons Option 2 \$2,000/\$4,000 individual/two-or-more persons Option 3 \$2,500/\$5,000 individual/two-or-more persons After the annual out-of-pocket amount has been reached (deductible/coinsurance) eligible benefits will be paid at 100% of the allowed amount for the remainder of the benefit period
Maximum Lifetime Benefit — \$5 million for each covered person.	
Unmarried dependents covered to age 23.	

Covered Services	
Medical Services <ul style="list-style-type: none"> • Doctor Visits — home/office (including hearing and eye exam) • Surgery — inpatient and outpatient • Maternity Care • Well Child & Well Baby Office Visit • Immunizations up to age 72 months • Immunizations over 72 months • Well Women — Annual Check Up Office Visit Mammogram Pap Smear • Routine Physicals — Annual Check Up Office Visit • Injections • Outpatient Radiology and Lab Services <p style="text-align: center;">* Combined benefit period maximum.</p>	\$25 office visit copay Subject to deductible/coinsurance Subject to deductible/coinsurance \$25 office visit copay Covers 100% of maximum allowance Covers 100% of maximum allowance \$25 office visit copay Pays 100% of the allowable charge to a maximum of \$300 per person each benefit period, then subject to deductible/coinsurance* \$25 office visit copay Covers 100% of maximum allowance Pays 100% of allowable charges up to a combined maximum of \$300 for each covered person, each benefit period*
Inpatient Hospital Pre-admission certification required for all planned inpatient admissions at 1-800-782-4437	Subject to deductible/coinsurance
Accidental Injury Services	Pays 100% up to \$1,000 per person each benefit period, then subject to deductible/coinsurance
Ambulance Services	Subject to deductible/coinsurance
Outpatient Hospital	Subject to deductible/coinsurance

Covered Services	
Emergency Room Services	\$100 copay per incident, then subject to deductible/coinsurance If admitted to the same hospital as an inpatient within 24 hours of initial visit, copay is waived and benefits are provided subject to deductible/coinsurance
Home Health Care/Hospice	Pays 100% Home Health Care up to \$2,500; pays Hospice 100% with a \$5,000 lifetime maximum
Freestanding Outpatient Facilities (Examples: surgery, renal dialysis)	Subject to deductible/coinsurance
Medical Equipment/Disposable Supplies	Subject to deductible/coinsurance
Short-term Therapies --- Physical, Speech and Occupational, Respiratory and Cardiac	Subject to deductible/coinsurance
Mental Health & Substance Abuse <ul style="list-style-type: none"> • Inpatient Services - Requires pre-admission certification from Health Management Strategies (HMS) at 1-800-643-6154 <i>Non-Biologically Based</i> (except those not attributable to a mental disorder) including alcoholism and drug abuse services are covered up to 30 days each benefit period <i>Biologically Based</i> • Outpatient Services Behavioral Health & Substance Abuse <i>Non-Biologically Based</i> <i>Biologically Based</i> Mental Illness (e.g. bipolar, major depression, ADD)	Subject to deductible/coinsurance Maximum of 30 days each benefit period Maximum of 45 days each benefit period Covers 100% of first \$100; 80% of next \$100, then 50% to an annual maximum of \$1,000 each benefit period -- lifetime maximum of \$7,500 45 visits each benefit period, \$25 office visit copay
Prescription Drugs <ul style="list-style-type: none"> • BlueRx Card - Retail Generic/brand formulary/brand non-formulary • BlueRx Mail (90-day supply) 	The quantity per prescription shall be the greater of a 34 day supply or 100 unit dosage, if defined as a maintenance drug \$15/\$30/\$45 copay \$37.50/\$75/\$112.50 copay (Note: prior authorization and quantity limits may apply)

Monthly Premium	Option 1	Option 2	Option 3
Employee	\$317.29	\$299.72	\$285.84
Emp/Child(ren)	\$612.70	\$579.14	\$552.65
Emp/Spouse	\$681.27	\$643.50	\$613.66
Emp/Deps	\$976.67	\$922.90	\$880.45
MER	\$440.27	\$418.34	\$407.52

Premiums are based on an effective date of July 1, 2008 with contract counts of 14 Employee, 2 Emp/Child(ren), 2 Emp/Spouse, 4 Emp/Dependents and 0 MER. We reserve the right to re-evaluate should enrollment vary by more or less than 20%.

Exclusions: The following procedures and all related services and supplies are not covered under this program. Services provided directly for or relative to diseases or injuries caused by or arising out of acts of war, insurrection, rebellion, armed invasion, or aggression; duplicate benefits provided under federal, state or local laws, regulations or programs, except Medicaid; cosmetic or reconstructive surgery (except as stated in the certificate); any keratotomy procedures; charges for personal items; convalescent or custodial/maintenance care or rest cures; blood or payments to donors of blood, any service or supply related to the medical management of obesity; charges for services by immediate relatives or by members of your household; acupuncture and admissions for acupuncture; services related to temporomandibular joint dysfunction syndrome over the amount specified in the certificate; dental implants; services or supplies related to sex changes, sexual dysfunctions or inadequacies; any medically aided insemination procedure; services related to the reversal of sterilization procedures; treatment of nervous or mental conditions over the amount specified in the certificate; hearing aids; eyeglasses or contact lenses (except after the removal of cataracts); unnecessary services and admissions; services or supplies which are experimental or investigative in nature; services not specifically listed as benefits in the certificate; services covered and payable by any medical expense payment provision of any automobile insurance policy.

This is a brief summary of the coverage available under this program. It is not a legal document.
The exact provisions of the benefits and exclusions are contained in the certificate

	KANSAS		
	2008/2009 Monthly Rates		
	Active	Cobra	Retiree
PPOA			
Employee	\$414.00	\$422.28	\$517.00
Second Tier	\$994.00	\$1,013.88	\$1,242.00
Family	\$1,077.00	\$1,098.54	\$1,346.00
PPOB			
Employee	\$342.00	\$348.84	\$427.00
Second Tier	\$822.00	\$838.44	\$1,027.00
Family	\$890.00	\$907.80	\$1,112.00
PPOR			
Employee	N/A	N/A	\$335.00
Second Tier	N/A	N/A	\$805.00
Family	N/A	N/A	\$872.00
HMO			
Employee	\$307.00	\$313.14	\$384.00
Second Tier	\$737.00	\$751.74	\$921.00
Family	\$798.00	\$813.96	\$997.00
Dental			
Employee	\$31.00	\$31.62	\$39.00
Family	\$79.00	\$80.58	\$99.00



**Benefit Summary for City of Basehor
Comprehensive Dental Care Program
Effective July 1, 2008 — June 30, 2009**

This Dental Care Program offers complete coverage for preventive services, along with additional coverage for primary and major dental services. Employees and each eligible dependent to age 23 will receive a maximum of \$1,500 in benefits for all covered services each anniversary year.

Covered Services					
Preventive		<ul style="list-style-type: none"> • Oral examinations • Dental imaging required to treat or diagnose diseases or abnormalities of the teeth, surrounding tissue, and cavity detection • Fluoride (under age of 21) • Prophylaxis, including cleaning, scaling and polishing • Sealants (one application every four years for each eligible individual age 5-17 for permanent first and second molars) • Space maintainers 		No deductible – 100% payment	
Primary		<ul style="list-style-type: none"> • Emergency treatment for pain • Fillings (except gold) • Inlays • Simple extractions • Endodontics, including pulpotomy, pulp capping and root canal treatment • General anesthesia when the dental treatment is covered • Repair of dentures • Periodontics, non-surgical • Non-surgical care of acute oral infection and oral lesions • Oral surgery, consisting of diagnosis and treatment of fractures, dislocations, cysts, and abscesses; and surgical extractions (including impacted teeth) 		Primary and Major Dental benefits have a combined deductible maximum of \$25/individual, \$75/family. 80% payment up to \$1,500 maximum per person, each benefit period.	
Major		<ul style="list-style-type: none"> • Dental implant services • Periodontal surgery • Surgery of the bony structure supporting the teeth <p>Subject to a 240-day waiting period:</p> <ul style="list-style-type: none"> • Onlays (not part of a bridge)* • Crowns (not part of a bridge)* • Dentures, full or partial* • Bridges* 		Primary and Major Dental benefits have a combined deductible maximum of \$25/individual, \$75/family. 50% payment up to \$1,500 maximum per person, each benefit period.	
Benefits are not provided for denture or bridge replacement within five years after receiving dentures or bridges under this program. Benefits are limited to standard procedures for prosthodontic services.					
*Credit will be given for the whole or partial satisfaction of the waiting periods to persons covered on the prior carrier's billing immediately preceding the effective date of the new policy. New hires or future additions will not receive credit for prior coverage.					
Orthodontic Rider		100% payment subject to maximums.			
• Diagnosis including study models and facial photographs		\$150 maximum** not to exceed one such payment in any 5-year period			
• Active treatment, including necessary appliances		Yearly maximum** of \$750 and a 3-year maximum of \$1,500			
• Retention treatment		18 month maximum** of \$150			
Orthodontic coverage available to covered dependent children up to age 21.					
** If orthodontic treatment begins before the effective date of this rider, the months of previous treatment will be deducted from the maximum number of months available under this program.					
Note: Any charges for the replacement and/or repair of any appliance previously furnished under this plan shall not be covered by Blue Cross and Blue Shield of Kansas.					
Monthly Premium	Employee	Emp/Child(ren)	Emp/Spouse	Emp/Dependents	MER
Dental	\$24.73	\$54.69	\$52.94	\$81.14	\$24.73

MC284r.1 10/07



**Benefit Summary for City of Basehor
Dental Care Program
Effective July 1, 2008 — June 30, 2009**

This Dental Care Program offers complete coverage for preventive services, along with additional coverage for primary and major dental services. Employees and each eligible dependent to age 23 will receive benefits for all covered services each anniversary year.

Covered Services								
Primary <ul style="list-style-type: none"> • Oral examinations • Periapical and bitewing x-rays • Fluoride (under age of 21) • Prophylaxis, including cleaning, scaling and polishing • Sealants (one application every four years for each eligible individual age 5-17 for permanent first and second molars) 			<ul style="list-style-type: none"> • Repair of dentures • Emergency treatment for pain • Fillings (except gold) • Inlays • Simple extractions • Endodontics, including pulpotomy, pulp capping and root canal treatment • General anesthesia when the dental treatment is covered 			100% payment		
Supplemental Primary <ul style="list-style-type: none"> • Space maintainers • Oral surgery 			<ul style="list-style-type: none"> • Onlays (not part of a bridge) subject to 240-day waiting period* • Crowns (not part of a bridge) subject to 240-day waiting period* 			50% payment		
Prosthodontics <ul style="list-style-type: none"> • Full or partial dentures -- subject to 240-day waiting period* • Bridges -- subject to 240-day waiting period* 						50% payment		
<p>Benefits are not provided for denture or bridge replacement within five years after receiving dentures or bridges under this program. Benefits are limited to standard procedures for prosthodontic services.</p> <p>*Credit will be given for the whole or partial satisfaction of the waiting periods to persons covered on the prior carrier's billing immediately preceding the effective date of the new policy. New hires or future additions will not receive credit for prior coverage.</p>								
Periodontics <ul style="list-style-type: none"> • Periodontic treatment of the gum, consisting of examination, management and surgery • Surgery of the bony structure supporting the teeth 						100% payment		
Orthodontic Rider <ul style="list-style-type: none"> • Diagnosis including study models and facial photographs • Active treatment, including necessary appliances • Retention treatment 						100% payment subject to maximums: \$150 maximum** not to exceed one such payment in any 5-year period Yearly maximum** of \$750 and a 3-year maximum of \$1,500 18 month maximum** of \$150		
<p>Orthodontic coverage available to covered dependent children up to age 21</p> <p>** If orthodontic treatment begins before the effective date of this rider, the months of previous treatment will be deducted from the maximum number of months available under this program.</p> <p>Note: Any charges for the replacement and/or repair of any appliance previously furnished under this plan shall not be covered by Blue Cross and Blue Shield of Kansas.</p>								
Monthly Premium Dental		Employee \$27.79	Emp/Child(ren) \$63.47	Emp/Spouse \$59.55	Emp/Dependents \$95.23	MER \$27.79		

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