

Agenda

Basehor City Council Work Session

February 3, 2014 7:00 p.m.
Basehor City Hall



1. Codification Review
2. City Administrator Discussion
3. Mr. Cooper Sewer Reevaluation Discussion
4. Executive Session (if needed)

Per K.S.A. 75-438 the City Council Meeting agenda is available for review at Basehor City Hall, 2620 North 155th

City of Basehor
Agenda Item Cover Sheet

Agenda Item No. 1

Topic: City Code Recodification

Action Requested: Review Recodification provided by Municode

Narrative: The City of Basehor has not completed a comprehensive recodification process in several years. Nor does the City currently maintain an inclusive, standardized, single source City Code document. The recodification will give Council the ability to more easily and accurately assess the potential impact of proposed changes to existing laws. It will also allow Council and staff the ability to respond quickly and accurately to citizen inquiries. The recodification will provide Basehor residents with a reliable, up to date and easy to understand municipal resource.

Presented by: Lloyd Martley, Interim City Administrator

Administration Recommendation: Review and authorize staff to prepare an ordinance to accept recodification

Committee Recommendation: N/A

Attachments: None – Recodification will be provided at work session

Projector needed for this item? No

City of Basehor
Agenda Item Cover Sheet

Agenda Item No. 2

Topic: City Administrator position

Action Requested: Discuss hiring a City Administrator

Narrative: Chief Lloyd Martley was appointed as the Interim City Administrator on September 20, 2011 and is still currently serving as the Interim City Administrator.

Presented by: Lloyd Martley, Interim City Administrator

Administration Recommendation: N/A

Committee Recommendation: N/A

Attachments: None

Projector needed for this item?

No

City of Basehor
Agenda Item Cover Sheet

Agenda Item No. 3

Topic: Sewer Billing Policy and adjustments for sewer usage

Action Requested: Allow Mr. Cooper time to discuss the City's sewer billing policy and the fact that it is not retroactive.

Narrative: Mr. Cooper requested to speak with the City Council regarding the City's sewer billing policy. Mr. Cooper stated that the apartment complex at 15526 Hickory St. had a water leak that was not discovered for a significant amount of time which caused his sewer rate to increase. Mr. Cooper requested his bill be retroactively adjusted for the past six months.

Presented by: Lloyd Martley, Interim City Administrator

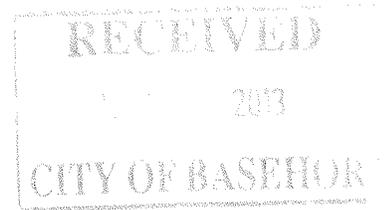
Administration Recommendation: Mr. Cooper did not follow the City's established procedures for requesting a reevaluation until six months after the initial bill was higher than normal. The policies and procedures were provided to Mr. Cooper. After Mr. Cooper follow the procedures his rates have been adjusted. Administration recommendation is to take no action.

Committee Recommendation: N/A

Attachments: Adjustment for sewer usage rate letter to Mr. Cooper 12-26-2013, Ordinance 626, account history report

Projector needed for this item?

No



Basehor City Hall
2620 N. 155th St.
Basehor, KS 66007
(913)724-1370

To: City Administrator, Mayor and City Council

Please fill out name and address and a contact number

From: JUL COOPER
19701 178th St.
TONGANOXIE KS 66084
Phone Number: 913-306-6887

Requesting to be put on the City Council Agenda

Regarding: ADJUSTMENTS FOR SEWER USAGE - BASED ON ONE LEAK OR RUNNING TOILET MISHAP (NOT SURE WHICH) OUR BILL HAS BEEN FIVE TIMES HIGHER FOR SIX MONTHS. Going FROM ABOUT \$50 per month up to \$250 per month. THE CURRENT POLICIES DO NOT ALLOW FOR PAST ADJUSTMENTS. IT WOULD BE VERY EASY FOR PEOPLES SEWER BILL TO BE BASED ON THEIR MONTHLY USAGE EACH TIME, NOT EVERY SIX MONTHS. PEOPLE NEED TO BE ABLE TO TRUST THAT THEIR CITY IS BILLING THEM CORRECTLY. MY RECORD OF USAGE EASILY PROVES THAT I HAD A ONE TIME FLUKE IN DEC. 2012, THAT USAGE WAS PAID FOR BUT BASED ON THAT ONE TIME FLUKE OUR BILLS WERE INCREASED FOR ALL THE MONTHS TO FOLLOW.

Signature: 
Date: 12/3/2013



The City of Basehor

December 26, 2013

Jul Cooper
19701 178th St.
Tonganoxie, Ks 66086

Ref: Adjustments for sewer usage

Mr. Cooper,

Ordinance 626 (enclosed) that was adopted by Council in May 2013 states, that residential sewage treatment will be evaluated based on the average per thousand gallons of water consumed for the months of December, January and February of the next year. Section (b) of this same ordinance (626) states that in the event that a customer establishes from reasonable evidence that the three month average is not representative of their actual usage, then the billing clerk with the consent of the city administrator is authorized to recalculate the appropriate usage based upon the information provided. Adjustments shall not be retroactive and will take effect with the next monthly billing cycle.

In your written request you stated that based on one leak, or running toilet mishap, your bill was increased five times the normal rate for the past six months. Our records show that for the month of June 2012 the usage was 9,600 gallons, July 2012 was 10,400 gallons, August 2012 was 9,000 gallons, September 2012 was 14,600 gallons, October 2012 was 22,000 gallons, and November 2012 was 32,900 gallons. During these six months per ordinance 626 you were being charged for an average usage of 5,900 based on previous years usage, when in fact your average usage for those six months was 16,416 gallons per month.

Per Ordinance 626 we took the average of December 2012, January 2013 and February 2013 which was 18,633 gallons to calculate your new usage rate to be effective May 2013. We have over 1,853 utility billing customers and we do not monitor their usage rates. It is the responsibility of the consumer to monitor their usage rates and request a recalculation if they feel the three month average being used is not their actual usage.

Ordinance 626 does allow for a customer to challenge the usage rates if they can provide reasonable evidence showing that the three month average used is not representative of their actual usage. You could have come in anytime after the May 2013 billing cycle and challenged your rate. However, it wasn't until December 2013 that you came in and wanted to challenge your usage rate for the past six months.

Per ordinance 626 if an adjustment is warranted it shall not be retroactive and will take place on the next billing cycle. Based on your request for a reevaluation per policy and based on the current usage numbers we have adjusted your rate according to policy.

You have requested time at a work session to discuss the City's sewer billing policy and the fact that it is not retroactive even if evidence is given to justify it and time to discuss your bills and request the adjustments.

With the approval of the Mayor you will be scheduled to speak to the council at the February 3, 2014 work session. You will be notified a few weeks before the meeting.

If you have any questions or comments about this issue, please do not hesitate to contact me directly.

Sincerely,

Lloyd Martley
Chief of Police/Interim City Administrator

2620 N. 155th Street
P.O. Box 406
Basehor, KS 66007-0406

913-724-1370
FAX 913-724-3388
www.cityofbasehor.org

ORDINANCE NO. 626

AN ORDINANCE AMENDING SECTION 15-239, ENTITLED " RESIDENTIAL SEWER SERVICE CHARGE", OF THE CITY CODE OF THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS.

WHEREAS, after due consideration, the City Council of the City of Basehor desires to amend and update Section 15-239 of the City Code of the City of Basehor, Kansas; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASEHOR, KANSAS AS FOLLOWS:

Section 1. That Section 15-239 of the City Code of the City of Basehor, Kansas, shall be amended with the addition of the underlined text set forth in the pertinent existing section set forth herein:

15-239 RESIDENTIAL SEWER SERVICE CHARGE. (a) As of January 1, 2011, of each year, the individual monthly charge for residential sewage treatment ~~will be \$10.61 per thousand gallons of water consumed,~~ will be evaluated based on the average per thousand gallons of water consumed ~~ption~~ for the month of December, and January and February of the next year. The monthly water consumption records will be obtained by the City from Consolidated Rural Water District No. 1, Suburban Water Company, or any other water provider. Once the per thousand gallon average is determined, the rate for water consumed will automatically be increased by 2.5% effective May 1 of each year. Said monthly rate per thousand gallons of water shall automatically increase by 2.5% effective January 1 of each year. Monthly water consumption records will be obtained by the city from Consolidated Rural Water District No. 1, Suburban Water Company or any other water provider.

~~(b) The average water consumption shall be based upon the average of the water consumed for the month of December of the previous year and the months of January and February of the current year. Each year thereafter, the average usage will be calculated utilizing the historical data in the same manner. Monthly billing changes will be effective May 1 of each year.~~

~~(be) In the event that a customer establishes from reasonable evidence that the three month average is not representative of their actual usage, then the billing clerk with the consent of the city administrator is authorized to recalculate the appropriate usage based upon the information provided. Adjustments shall not be retroactive and will take effect with the next monthly billing cycle. No adjustments to utility accounts shall be made until the customer's account is paid in full.~~

~~(cd) Units that water consumption records may not be available for all of the months of December, January and February may be charged based on the average of one to three months preceding or following these months.~~

~~(de) Units that are connected to the sewer system that have not established water usage rates shall be assigned the median city sewer service charge of May 1 for the current year until~~

~~an actual average use rate can be determined. after the effective date, or units that do not receive water service from Consolidated Rural Water District No. 1 or Suburban Water Company, or units that water usage records are otherwise not available, shall be assigned an average monthly water consumption of 6,350 gallons, until an actual average can be determined or the unit may be charged on a per capita basis of 100 gallons per day per occupant.~~

~~(ef) The monthly charge for new units that will significantly exceed the monthly average of 6,350 gallons may be based on actual water usage, on a month-to-month basis, until an accurate average can be determined.~~

~~(fg) The minimum monthly sewer rate charge will be equal to the usage rate set forth in subsection (a) and multiplied by 1.5. charge per thousand gallons of water set forth in subsection (a) above multiplied by 1.5. Units that are vacant will be charged the minimum fee for each month they are vacant.~~

(gh) Each single or multi-family unit consisting of four or less sewer connections to be made will be charged a connection fee based on the current connection fee for each individual unit. Structures that consist of five units or more, including but not limited to, apartments, motel/hotel, commercial light industrial and any other complexes that only require one connection shall be charged as follows:

1. Up to 11,500 square feet: \$3450
2. Over 11,500 square feet: \$.30 per square foot based off the structure's square footage listed on the approved final plat

This fee shall be based off of the occupied space only, and shall not include any green spaces, or non-permeable surfaces as required by the City of Basehor's development code.

Section 2. Section 15-240 of Article 2 of Chapter XV of the Basehor City Code is restated here in its entirety:

15-240 CONNECTION FEES; SERVICE OUTSIDE OF THE CITY. (a) Each individual unit connected to the city wastewater system shall be charged a connection fee at the time a building permit is issued for construction of the unit, or upon connection to the wastewater system in the case of existing units. In the case of multi-unit buildings, a separate fee shall be charged for each separate unit. Effective January 1, 2011, the connection fee shall be \$3,450.

(b) The connection fees and the monthly wastewater treatment fees for development outside of the city shall be 150% of the established rates, unless otherwise determined by the city council. The connection fee shall be charged at the time a building permit is issued for construction of the unit, or upon connection to the wastewater system for existing units.

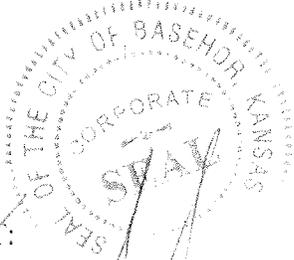
Section 3. That all ordinances or parts of ordinances in conflict with the provisions of the ordinance shall be and are hereby repealed.

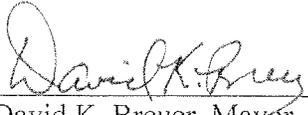
Section 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED by the Governing Body this 14 day of May, 2013.

APPROVED by the Mayor this 20 day of May, 2013.

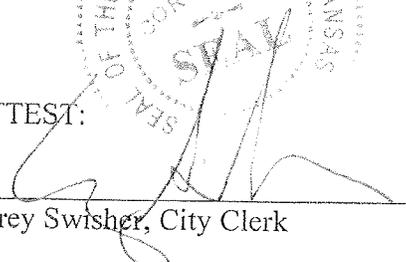
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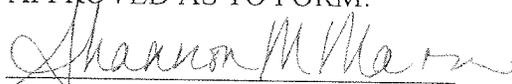
David K. Breuer, Mayor

ATTEST:



Corey Swisher, City Clerk

APPROVED AS TO FORM:



Shannon M. Marciano, City Attorney

ACCOUNT HISTORY REPORT

Date: 12/03/2013

Time: 10:14am

Page: 2

City of Basehor

 Trans Date Transaction Type Mult Usage Prev Read Sewer (by NSF Fee Penalty Other
 Entry Date Note Meter No. Curr Read Solid Wast Total
 Record No. New Bal

 Acct No: 0000-000000-0000-0 Cust Name: FOUR J ENTERPRISES Cycle: 0 Seq #: 0000000000
 Loc ID: HICK-015526-A000-01 Svc Addr: 15526 HICKORY ST. # A,B,C Section: 0 Class: RESIDENTIAL

Trans Date	Transaction Type	Mult Usage	Prev Read	Sewer (by)	NSF Fee	Solid Wast	Penalty	Other
07/31/2013	B Bill	0.0000	0	207.76	0.00		0.00	0.00
08/01/2013	Billing	1	0			42.09		249.85
631864								249.85
08/09/2013	R Receipt	0.0000	0	207.76	0.00		0.00	0.00
08/09/2013	Batch Receipts	1	0			42.09		249.85
633731								0.00
08/31/2013	B Bill	0.0000	0	207.76	0.00		0.00	0.00
08/30/2013	Billing	1	0			42.09		249.85
636195								249.85
09/04/2013	R Receipt	0.0000	0	207.76	0.00		0.00	0.00
09/04/2013	Batch Receipts	1	0			42.09		249.85
637820								0.00
09/30/2013	B Bill	0.0000	0	207.76	0.00		0.00	0.00
09/27/2013	Billing	1	0			42.09		249.85
640470								249.85
10/09/2013	R Receipt	0.0000	0	207.76	0.00		0.00	0.00
10/09/2013	Batch Receipts	1	0			42.09		249.85
642460								0.00
10/31/2013	B Bill	0.0000	0	207.76	0.00		0.00	0.00
10/31/2013	Billing	1	0			42.09		249.85
644796								249.85
11/12/2013	R Receipt	0.0000	0	207.76	0.00		0.00	0.00
11/12/2013	Batch Receipts	1	0			42.09		249.85
647146								0.00
11/30/2013	B Bill	0.0000	0	207.76	0.00		0.00	0.00
11/27/2013	Billing	1	0			42.09		249.85
649027								249.85

 ACCOUNT TOTALS: 3,456.46 0.00 0.00 0.00 0.00 0.00
 0.00 1,010.16 4,466.62

GRAND TOTALS: 3,456.46 0.00 0.00 0.00 0.00 0.00
 0.00 0.00 0.00 1,010.16 0.00 4,466.62
 0.00 0.00 0.00 0.00 0.00 0.00
