AGENDA
BASEHOR CITY COUNCIL
July 20, 2016 - 7:00 p.m.
Basehor City Hall

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1. **Roll Call** by Mayor David K. Breuer and Pledge of Allegiance

2. **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).*

3. **Consent Agenda** *(Items to be approved by Council in one motion, unless objections raised)*

   a. City Council Minutes
   b. Treasurer's Report
   c. Pinehurst North – Ordinance No. 673
   d. Resolution 2016-17 Employee Manual Updates
   e. Resolution 2016-18 AGH (Allen, Gibbs & Houlik, L.C.) Agreement

4. **Unfinished Business** - *(None at this time)*

New Business

5. **Ordinance No. 674 - Zoning change from RO-R-2**
6. **Ordinance No. 675 - Replat of Cedar Lake Estates**
7. **Ordinance No. 676 - Final Development Plan Basehor Town Center (Perez property)**
8. **Ordinance No. 677 - Final Plat Basehor Town Center (Perez property)**
9. **Atmos Energy Corporation Gas Main Relocation – Resolution 2016-19**
10. **City Administrator's Report**
11. **Council Members Report**
12. **Mayor's Report**
13. **Executive Session** *(if needed)*
14. **Adjournment**

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

Minutes
Basehor City Council Special Meeting
Basehor City Hall, June 1, 2016

Roll Call by Mayor David K. Breuer

Mayor David K. Breuer called the meeting to order at 7:00 p.m.

Council Members present: Mayor David K. Breuer, Travis Miles, Vernon Fields, Rae Anderson Nicholson and *Richard Drennon arrived at 7:05 p.m.*
Absent: Ty Garver.

Staff Present: Chief of Police/City Administrator, Lloyd Martley, Gene Myracle, City Superintendent, Mark Lee, Planning & Zoning Director and City Clerk, Katherine M. Renn.

Councilwoman Nicholson motioned to open the special meeting at 7:01 p.m. and Councilman Fields seconded. Motion passed unanimously, 3-0.

1. **Ordinance No. 672 – Authorization of G.O. Bond**
   Tom Kaleko with Springsted went over the day's bond sale information and informed Council that the City has kept their excellent rating of AA with Standard & Poors Ratings Services for the general obligation refunding bonds, series 2016-A. *(final official statements available at City Hall)*. Councilman Miles moved to approve Ordinance No. 672 the authorization of the general obligation refunding bonds and Councilwoman Nicholson seconded. The motion passed unanimously, 3-0.

2. **Resolution 2016-14 – Terms of the G.O. Bond**
   Kevin Wempke from Gilmore and Bell gave brief summary to Council and the terms to Resolution 2016-14. Councilman Fields moved to approve the terms of Resolution 2016-14 for the general obligation refunding bonds and Councilwoman Nicholson seconded. The motion passed unanimously, 4-0.

3. **Notice of Award for Leavenworth Rd. Sidewalk & Storm Improvements**
   Councilwoman Nicholson moved to approve authorizing the Mayor to sign award for Miles Excavating, Inc. and Councilman Drennon seconded. The motion passed unanimously, 4-0.

4. **Contract between City of Basehor & Miles Excavating, Inc. for Leavenworth Road Sidewalk and Storm Improvements**

Councilman Drennon moved approve the contract with the City of Basehor and Miles Excavating, Inc. and Councilman Fields seconded. Motion passed unanimously, 4-0.

5. **Adjournment**

Councilman Miles moved to adjourn special meeting at 7:10 p.m. and Councilwoman Nicholson seconded. Motion passed unanimously, 4-0.

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David K. Breuer, Mayor

Attest:

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Katherine M. Renn, City Clerk

Minutes
Basehor City Council Meeting
Basehor City Hall, June 16, 2016

1. **Roll Call** by Mayor David K. Breuer and Pledge of Allegiance

Mayor David K. Breuer called the meeting to order at 7:00 p.m.

Council Members present: David K. Breuer, Travis Miles, Vernon Fields, Rae Anderson Nicholson, Ty Garver and Dick Drennon.

Staff Present: Chief of Police/City Administrator, Lloyd Martley

2. **Consent Agenda** *(Items to be approved by Council in one motion, unless objections are raised)*

   a. City Council Minutes
   b. Treasurer's Report
   c. BLHS Fireworks Stand-Waive Fee

Councilman Drennon moved to approve the consent agenda and Councilwoman Nicholson seconded. The motion passed unanimously, 5-0.

3. **Call to Public** – *None at this time*

4. **Unfinished Business** – *None at this time*

New Business

5. Planning Commission Appointments
Councilman Drennon moved to approve the Mayor's recommendation for Terry Gall, Ed Bush and Jon Gallion for reappointments to the Planning Commission and Councilman Miles seconded. The motion passed unanimously, 5-0.

6. City Administrator's Report
Mr. Martley mentioned the old Reuben library was being moved this weekend starting at 8:00 a.m.

7. Council Members Report
Vernon Fields – Provided a MARC (Mid America Regional Council) update and stated that we need to start planning future projects that the City could possibly get funding for. Mr. Fields also stated that he attended the LCDC (Leavenworth County Development Corporation) meeting as a representative from Basehor and would also be attending the Port Authority meeting.

Rae Anderson Nicholson – Thanked the Basehor Police Department for participating with the funeral of Detective Lancaster from the KCKPD.

8. Mayor's Report
Mayor Breuer stated he had a good meeting with Leroy Cain from KDOT about future road improvements along K-7 and Donahoo along with other possibilities throughout the City.

9. Executive Session - *None at this time*

10. Adjournment
Councilman Miles moved to adjourn regular meeting at 7:12 p.m. and Councilman Garver seconded. Motion passed unanimously, 5-0.

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David K. Breuer, Mayor

Attest:

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Katherine M. Renn, City Clerk
via staff taken notes by Lloyd Martley

Minutes
Basehor City Council Special Meeting
Basehor City Hall, July 6, 2016

Roll Call by Mayor David K. Breuer

Mayor David K. Breuer called the meeting to order at 6:55 p.m.

Council Members present: Mayor David K. Breuer, Travis Miles, Rae Anderson Nicholson and Richard Drennon *Vernon Fields arrived at 6:58 p.m.*
Absent: Ty Garver.

Staff Present: Chief of Police/City Administrator, Lloyd Martley, Gene Myracle, City Superintendent, Mark Lee, Planning & Zoning Director and City Clerk, Katherine M. Renn.

Councilman Miles motioned to open the special meeting at 6:55 p.m. and Councilwoman Nicholson seconded. Motion passed unanimously, 3-0.

1. **Set Public Hearing for 2017 Operating Budget**
   Councilman Miles moved to set the public hearing for the operating 2017 budget at 6:30 p.m. on August 3, 2016 and Councilman Nicholson seconded. Motion passed unanimously, 3-0.

2. **Adjournment**
   Councilman Drennon moved to adjourn special meeting at 6:58 p.m. and Councilwoman Nicholson seconded. Motion passed unanimously, 3-0.

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David K. Breuer, Mayor

Attest:

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Katherine M. Renn, City Clerk

CITY OF BASEHOR
JUNE 2016 FINANCIAL SNAPSHOT

Funds

Fund	Budget	Revenues	Expenditures	% Utilized
General	$2,912,231	$1,627,570	$935,237	32%
Special Park	$88,000	$26,584	$11,360	13%
Sewer	$1,794,456	$5,145,868	$4,849,082	270%
Cedar Lake Maintenance	$40,000	$40,018	$7,299	18%
Bond & Interest	$866,112	$671,716	$79,279	9%
Solid Waste	$322,275	$181,451	$165,291	51%
Special Highway	$1,175,000	$355,981	$14,793	1%
Municipal Equipment Reserve	$175,000	$263	$59,982	34%
Capital Improvement	$966,466	$95,624	$85,937	9%
Employee Benefit	$618,804	$418,173	$285,704	46%
LCSD#3	$33,000	$33,033	$18,187	55%

Department

General	Budget	Expenditures	Remaining Balance	% Utilized
Clerk	$378,219	$197,712	$180,507	52%
Street	$237,316	$74,231	$163,085	31%
Governing Body	$537,800	$42,634	$495,166	8%
Police	$924,651	$407,961	$516,690	44%
Facilities	$146,913	$57,187	$89,726	39%
Administrator	$249,506	$18,523	$230,983	7%
Park & Recreation	$74,942	$28,103	$46,839	37%
Miscellaneous	$162,700	$36,945	$125,755	23%
HR	$27,600	$8,092	$19,508	29%
Planning	$172,584	$63,850	$108,734	37%

**MISC includes transfers out of general fund into MERF, Sewer, and Capital Improvemer

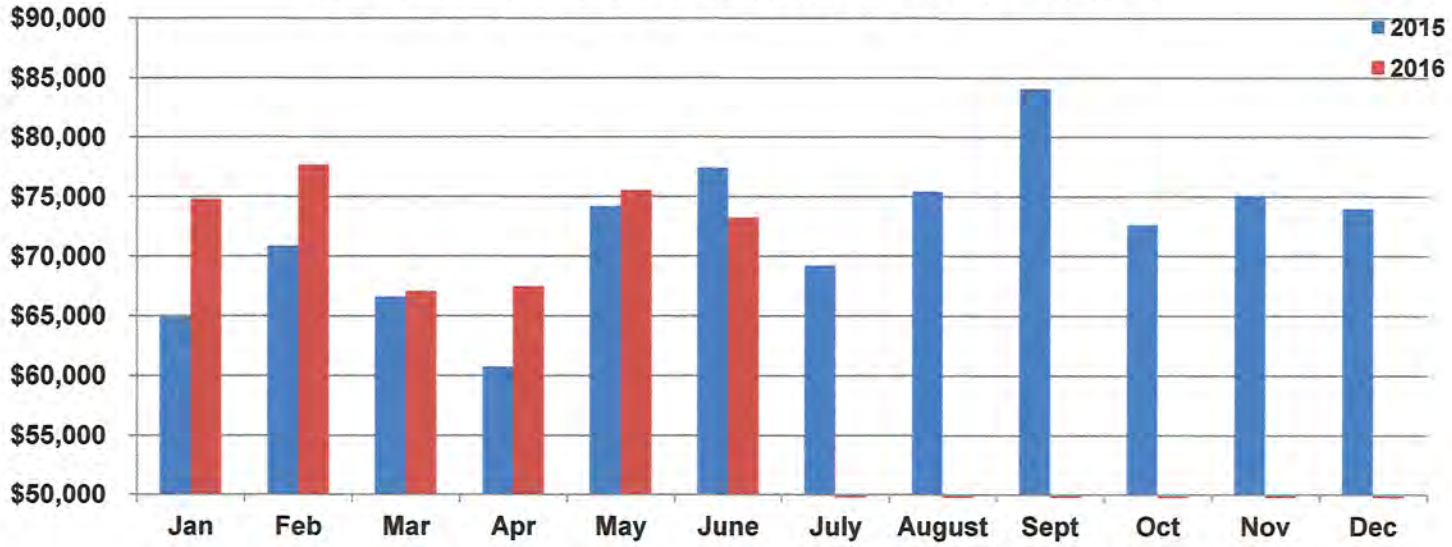
MONTHLY SALES TAX COLLECTIONS 2012-2016

	2012	2013	2014	2015	2016	Monthly Diff. '15 - '16	% Difference	2015 YTD	2016 YTD	Diff. '15 -'16	% Difference
Jan	57,962.61	55,854.63	57,521.05	64,945.65	74,803.28	9,857.63	13.2%	64,945.65	74,803.28	9,857.63	13.2%
Feb	48,668.43	50,846.50	61,331.66	70,869.41	77,689.41	6,820.00	8.8%	135,815.06	152,492.69	16,677.63	10.9%
Mar	51,596.39	50,846.50	54,298.46	66,612.89	67,094.24	481.35	0.7%	202,427.95	219,586.93	17,158.98	7.8%
Apr	42,372.82	48,009.19	59,434.83	60,756.14	67,477.32	6,721.18	10.0%	263,184.09	287,064.25	23,880.16	8.3%
May	50,639.59	53,986.75	59,679.42	74,209.84	75,539.09	1,329.25	1.8%	337,393.93	362,603.34	25,209.41	7.0%
June	55,921.34	60,215.87	66,757.64	77,452.56	73,252.24	(4,200.32)	-5.7%	414,846.49	435,855.58	21,009.09	4.8%
July	49,304.00	56,140.33	66,800.72	69,216.07				484,062.56			
Aug	55,484.63	60,644.35	63,635.42	75,424.27				559,486.83			
Sept	62,953.65	59,886.19	67,381.62	84,096.74				643,583.57			
Oct	57,986.12	59,634.13	75,075.03	72,635.93				716,219.50			
Nov	59,821.88	58,067.36	69,812.32	75,123.36				791,342.86			
Dec	49,586.00	58,821.13	67,635.00	73,979.24				865,322.10			
	642,297.46	672,952.93	769,363.17	865,322.10	435,855.58						

2016 TDD $16,586.46

2015 TDD $31,717.59

2015-16 Month to Month Comparison



SOLID WASTE FUND HIGHLIGHTS

For the Month of June 2016

MONTH	2015 SOLID WASTE COUNT	2016 SOLID WASTE COUNT	% DIFFERENCE
January	1,847	1,973	6.39%
February	1,852	1,989	6.89%
March	1,866	1,995	6.47%
April	1,891	2,017	6.25%
May	1,911	2,031	5.91%
June	1,926	2,054	6.23%
July	1,932		
August	1,946		
September	1,953		
October	1,954		
November	1961		
December	1969		
AVERAGE	1,917	2,010	6.35%

MONTH	2015 SOLID WASTE BILLED	2016 SOLID WASTE BILLED	% DIFFERENCE
January	$25,963.34	$27,792.02	6.58%
February	$26,060.62	$27,985.20	6.88%
March	$26,221.64	$28,082.41	6.63%
April	$26,404.12	$28,314.15	6.75%
May	$26,756.19	$28,534.39	6.23%
June	$26,956.84	$28,775.51	6.32%
July	$27,320.41		
August	$27,233.52		
September	$27,376.36		
October	$27,514.14		
November	$27,701.83		
December	$27,751.72		
TOTAL	$323,260.73	$169,483.68	

MONTH	2015 AVERAGE BILL	2016 AVERAGE BILL	% DIFFERENCE
January	$14.06	$14.09	0.21%
February	$14.07	$14.07	0.00%
March	$14.05	$14.08	0.21%
April	$13.96	$14.04	0.57%
May	$14.00	$14.04	0.28%
June	$14.00	$14.01	0.07%
July	$14.14		
August	$13.99		
September	$14.02		
October	$14.08		
November	$14.13		
December	$14.09		
AVERAGE	$14.05	$14.06	0.04%

SEWER FUND HIGHLIGHTS

For the Month of June 2016

MONTH	2015 SWR COUNT	2016 SWR COUNT	% DIFFERENCE
January	1960	2077	5.63%
February	1960	2085	6.00%
March	1971	2090	5.69%
April	1997	2107	5.22%
May	2017	2121	4.90%
June	2032	2143	5.18%
July	2037		
August	2055		
September	2065		
October	2057		
November	2065		
December	2073		
AVERAGE	2024	2104	

MONTH	2015 SWR BILLED	2016 SWR BILLED	% DIFFERENCE
January	$98,315.70	$103,888.24	5.67%
February	$99,121.87	$106,054.34	6.99%
March	$98,797.47	$104,234.00	5.50%
April	$98,845.10	$105,982.42	7.22%
May	$102,569.87	$109,140.33	6.41%
June	$103,045.89	$113,071.49	9.73%
July	$102,504.86		
August	$103,973.82		
September	$104,665.79		
October	$105,097.52		
November	$104,622.86		
December	$103,882.70		
TOTAL	$1,225,443.45	$642,370.82	

MONTH	2015 AVERAGE SWR BILL	2016 AVERAGE SWR BILL	% DIFFERENCE
January	$50.16	$50.02	-0.28%
February	$50.57	$50.87	0.59%
March	$50.13	$49.87	-0.52%
April	$49.50	$50.30	1.62%
May	$50.85	$51.46	1.19%
June	$50.71	$52.76	4.04%
July	$50.32		
August	$50.60		
September	$50.69		
October	$51.09		
November	$50.66		
December	$50.11		
AVERAGE	$50.45	$50.88	0.85%

06/14/2016 CHECK REGISTER FOR CITY OF BASEHOR
CHECK DATE FROM 06/04/2016 - 06/14/2016

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 1 FIRST STATE BANK CHECKING					
06/10/2016	1	23300	BUSHYHEAD LLC	CONTRACT LEGAL AMOUNT (5-2 TO 5-31-16)	3,000.00
06/10/2016	1	23301	DESIGN ENERGY GROUP	CODE REVIEW/SENIOR LEGACY CENTER; USD 458	2,301.40
06/10/2016	1	23302	EMC INSURANCE COMPANY	DEDUCTIBLE/CLAIM	2,500.00
06/10/2016	1	23303	KANSAS STATE TREASURER	STATE MANDATED FEES MAY 2016	1,224.00
06/10/2016	1	23304	LEAVENWORTH COUNTY SHERIFF	BOARD BILL MAY 2016	577.50
06/10/2016	1	23305	REGISTER OF DEEDS	MONTHLY LAREDO BILLING/MAY	60.00
06/10/2016	1	23306	VERIZON WIRELESS	CITY STAFF CELL PHONE SVC/JUNE	413.05
06/10/2016	1	23307	WESTAR ENERGY	ELECTRIC USAGE/STREET LIGHTS	4,212.73
06/14/2016	1	23308	KIANN SPRADLIN	CITY PROSECUTOR SERVICES	700.00
06/14/2016	1	23309	MANUEL SOTO-CORDOVA	REIMB BOND	455.00
06/14/2016	1	23310	SONNTAG LAW OFFICE	COURT APPOINTED ATTORNEY	500.00
06/14/2016	1	23311	STEVEN STEPHENS	REIMB BOND	338.00
06/14/2016	1	23312	THE REILLY COMPANY LLC	NOTARY RENEWAL TRACI DOCKERY	75.00
06/14/2016	1	23313	TRAINING AT YOUR PLACE	TRAINING@YOURPLACE COURT PROGRAM	142.50
06/14/2016	1	23314	WILLIAM E. PRAY	MUNICIPAL JUDGE SERVICES	500.00

1 TOTALS:

Total of 15 Checks:	16,999.18
Less 0 Void Checks:	0.00
Total of 15 Disbursements:	16,999.18

6-14-16
Lloyd Martley
City Administrator

Katherine M. Renn 6-14-16
Kathgrine Renn
City Clerk

Kristi Olson 6/14/16
Kristi Olson
City Treasurer

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 1 FIRST STATE BANK CHECKING					
06/17/2016	1	1175(E)	COMMERCE	CITYWIDE PURCHASING CARD CHARGES/APRIL	36,173.08
06/17/2016	1	1176(E)	ETS	CITYWIDE CREDIT CARD FEES	82.28
06/17/2016	1	1177(E)	KANSAS PAYMENT CENTER	PAYROLL DIRECTED DEDUCTION	200.77
06/17/2016	1	1178(E)	KPF EFT PROGRAM	POLICE RETIRE CONTRIB/MN LIFE	8,078.21
06/17/2016	1	1179(E)	MASS MUTUAL FINANCIAL GROUP	401/457 RETIRE CONTRIB	4,359.47
06/17/2016	1	1180(E)	PITNEY BOWES RESERVE ACCT	REFILL CITY POSTAGE METER	100.00
06/22/2016	1	1181(E)	MASS MUTUAL FINANCIAL GROUP	401/457 RETIRE CONTRIB/ADDTL AMT DUE	207.22
06/22/2016	1	1182(E)	WRIGHT EXPRESS	MAY/FLEET FUEL CHARGES/OLD ACCT	1,445.70
06/22/2016	1	1183(E)	WRIGHT EXPRESS	MAY/FLEET FUEL CHARGES/NEW ACCT	286.53
06/22/2016	1	23315	ABBY MILLER	YOUTH SPORTS REBATE	35.00
06/22/2016	1	23316	ALEX & DANIELLE HUBER	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23317	AMANDA BAKER	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23318	AMY COOK	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23319	ANDREW & LISA ADAIR	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23320	ANN PORTER	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23321	APRIL WILLIAMS	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23322	BETH LACY	YOUTH SPORTS REBATE	35.00
06/22/2016	1	23323	BRIAN & JENNY DELAWARE	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23324	CARIE SHIRLEY	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23325	CARRY & JAMIE SUCHY	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23326	CHARLES & CINDY ROLLO	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23327	CHERYL DEGRAEVE	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23328	CODY & HEATHER SNYDER	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23329	CORY & PEGGY KRAMER	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23330	DAN & ANGIE VANDONGE	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23331	ERIC FISHE	YOUTH SPORTS REBATE X 3	150.00
06/22/2016	1	23332	ERIN & WAYLON HALING	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23333	ERIN KIRKLAND	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23334	ERIN THOM	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23335	HAYNES EQUIPMENT CO	FACILITY REPAIRS/WWTF	4,045.80
06/22/2016	1	23336	HOAI & LAURIE TRAN	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23337	JANELL BARKER	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23338	JASON & MEGHAN BROWN	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23339	JENNIFER SIMS	YOUTH SPORTS REBATE X 3	105.00
06/22/2016	1	23340	JEROMY & MEGHAN SUMAN	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23341	JOE & HEIDI PATE	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23342	JOYE MINDA	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23343	KANSAS BUREAU OF INVESTIGATION	LAB FEES/WILSON, LOGAN	400.00
06/22/2016	1	23344	KANSAS ONE-CALL SYSTEMS, INC.	MONTHLY LOCATE SVC/MAY-140	140.00
06/22/2016	1	23345	KAREN & DAN STREIT	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23346	KELLER FIRE & SAFETY, INC	FOD FIRE SAFETY INSPECTION	188.80
06/22/2016	1	23347	KRISTA ALLEN	YOUTH SPORTS REBATE X 2	85.00

06/22/2016 CHECK REGISTER FOR CITY OF BASEHOR

CHECK DATE FROM 06/16/2016 - 06/22/2016

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 1 FIRST STATE BANK CHECKING					
06/22/2016	1	23348	LAND CO REAL ESTATE SVCS INC	ROW LAND ACQUISITION/LV RD PROJECT	6,715.00
06/22/2016	1	23349	LAUREN WEBER	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23350	LAWN TAMERS	CONTRACT MOW/MAY	200.00
06/22/2016	1	23351	LEAVENWORTH COUNTY CO-OP	DIESEL FUEL/WWTF & PWD	1,108.94
06/22/2016	1	23352	LINDSAY & WES GEDNEY	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23353	LORI HUGHES	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23354	LUKE SUPER	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23355	MADDIE BACON	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23356	MARK & SUE HOWARD	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23357	MARK HENDERSON	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23358	MARK LEE	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23359	MCAFEE HENDERSON SOLUTIONS	CONST DRAWINGS/DRAINAGE STUDY	4,721.70
06/22/2016	1	23360	MICHAEL & TAMMY BALLARD	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23361	MICHAEL JANOUSCHEK	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23362	MINDY & JUSTIN DA PRATO	YOUTH SPORTS REBATE	35.00
06/22/2016	1	23363	PATRICK LOCKE	YOUTH SPORTS REBATE X 5	220.00
06/22/2016	1	23364	RACHAEL ROSS	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23365	SABRA HOTUJAC	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23366	SANDY DOERING	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23367	SARAH THOMAS	YOUTH SPORTS REBATE X 2	100.00
06/22/2016	1	23368	SCHULTE SUPPLY	PROJECT SUPPLIES WWTF	276.00
06/22/2016	1	23369	SMITH & LOVELESS INC	LIFT STATION MAINT	475.30
06/22/2016	1	23370	SPECTRA	COLLECTION SYSTEMS MAINT	1,423.12
06/22/2016	1	23371	SPOTS OFF LLC	CAR WASH/CITY CAR/APRIL	11.71
06/22/2016	1	23372	STEVE WILSON	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23373	TERRY & TRACI GALL	YOUTH SPORTS REBATE	50.00
06/22/2016	1	23374	TESS GRABILL	REIMB OVERPAYMENT	10.00
06/22/2016	1	23375	TOTAL ELECTRIC CONTRACTORS INC	FOD TOWER LIGHTING	1,197.54
06/22/2016	1	23376	TRACY ANDERSON	YOUTH SPORTS REBATE X 2	85.00
06/22/2016	1	23377	USA BLUEBOOK	PADLOCKS/PWD,WWTF	365.63
06/22/2016	1	23378	WESTLAND CONSTRUCTION	CITY PARK PROJECT	1,942.70

1 TOTALS:

Total of 72 Checks:	77,223.28
Less 0 Void Checks:	0.00
Total of 72 Disbursements:	77,223.28

**(E)=EFT Checks-Online Payments

6-22-16

Lloyd Martley
City Administrator

Katherine M. Renn 6-22-16

Katherine Renn
City Clerk

Kristi Olson 6/22/16

Kristi Olson
City Treasurer

06/30/2016 CHECK REGISTER FOR CITY OF BASEHOR
CHECK DATE FROM 06/23/2016 - 06/30/2016

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 1 FIRST STATE BANK CHECKING					
06/30/2016	1	1184(E)	COMMERCE	CITYWIDE PURCHASING CARD CHGS/MAY	38,495.28
06/30/2016	1	1185(E)	KANSAS PAYMENT CENTER	PAYROLL DIRECTED DEDUCTION	200.77
06/30/2016	1	1186(E)	KPF EFT PROGRAM	POLICE RETIRE CONTRIB/MN LIFE	6,943.69
06/30/2016	1	1187(E)	MASS MUTUAL FINANCIAL GROUP	401/457 RETIRE CONTRIB	4,156.31
06/30/2016	1	1188(E)	PITNEY BOWES GLOBAL	POSTAGE METER LEASE/2ND QTR	140.10
06/30/2016	1	23379	ALLEN, GIBBS & HOULIK, LC	CONTRACT FINANCE SVCS/5-2 TO 5-26-16	2,280.00
06/30/2016	1	23380	ATMOS ENERGY	GAS USAGE/CH 5-26 TO 6-24-16	56.65
06/30/2016	1	23381	ATMOS ENERGY	GAS USAGE/PWD 5-28 TO 6-28-16	46.61
06/30/2016	1	23382	ATTORNEY GENERAL'S OFFICE	2016-A GO BOND/KDHE	255.00
06/30/2016	1	23383	CUSIP GLOBAL SERVICES	2016-A GO BOND/KDHE	476.00
06/30/2016	1	23384	DAVID LAWSON	YOUTH SPORTS REBATE	35.00
06/30/2016	1	23385	GILMORE & BELL, P.C.	2016-A GO BOND/KDHE	19,500.00
06/30/2016	1	23386	KANSAS ONE-CALL SYSTEMS, INC.	MONTHLY LOCATE SVC/APRIL-137	137.00
06/30/2016	1	23387	KANSAS REGISTER	2016-A GO BOND/KDHE	112.00
06/30/2016	1	23388	MARK LEE	REIMB SPRING TUITION	2,307.00
06/30/2016	1	23389	OLSSON ASSOCIATES	PROF SVCS THRU 6/11/16	1,175.00
06/30/2016	1	23390	S & P GLOBAL	2016-A GO BOND/KDHE	11,000.00
06/30/2016	1	23391	SPRINGSTED	2016-A GO BOND/KDHE	19,863.63
06/30/2016	1	23392	STEPHEN R MARSDEN	JANITORIAL SERVICE/JUNE 2016	387.00
06/30/2016	1	23393	UNITED STATES POSTAL SERVICE	REPLENISH POSTAGE ACCT PERMIT #12/UB BIL	2,000.00
06/30/2016	1	23394	WESTAR ENERGY	ELECTRIC USAGE	13,777.58

1 TOTALS:

Total of 21 Checks:	123,344.62
Less 0 Void Checks:	0.00
Total of 21 Disbursements:	123,344.62

**(E)=EFT Checks-Online Payments

6-30-16
Lloyd Martley
City Administrator

Katherine M-Renn 6-30-16
Katherine Renn
City Clerk

Kristi Olson 6/30/16
Kristi Olson
City Treasurer

City of Basehor

Agenda Item Cover Sheet

Consent Agenda Item C

Topic: Final Plat of Pinehurst North 4th Plat.

Action Requested: Approve Ordinance 673, Final Plat of Pinehurst North 4th Plat with the stated stipulations.

Narrative: Pruitt and Dooley Surveying, LLC, on behalf of AAT Enterprises, LLC and Scott and Maggie Seele, has come forward with a short form final plat of Pinehurst North 4th Plat.

A short-form plat procedure is being utilized for this application. The purpose for a short-form plat is to provide a means of approving a subdivision of land that contains four (4) lots or less. Short-form plat shall serve as the final plat of the subdivision. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval; provided, that the public hearing requirements outlined in preliminary plats are met. The property was approved for rezoning by the Planning Commission at the February 2, 2016 meeting and approved by the City Council on the March 16, 2016 meeting. The short form final plat was approved for recommendation to the Governing Body at the June 14th Planning Commission meeting.

Presented by: Mark Lee, Planning and Zoning Director

Administration Recommendation: Approve Ordinance 673, Final Plat of Pinehurst North 4th Plat, with the stipulations stated within the Ordinance.

Attachments:
Ordinance 673
Staff Report (3 pages)
Reduced copy of FP (8.5 X 11)

Projector needed for this item? No

ORDINANCE NO. 673

AN ORDINANCE APPROVING A SHORT FORM FINAL PLAT FOR THE CONSOLIDATION OF LOTS C-12 AND C-13 OF THE PINEHURST NORTH SUBDIVISION 4TH PLAT, GENERALLY LOCATED AT 15610 PINEHURST DRIVE, BASEHOR, LEAVENWORTH COUNTY, KANSAS.

WHEREAS, the applicant submitted an application for a short form final plat for the consolidation of Lots C-12 and C-13 of the Pinehurst North Subdivision, 4th Plat, Basehor, Leavenworth County, Kansas; and

WHEREAS, in accordance with Section 2-104 of the Basehor Subdivision Regulations, the Planning Commission held a public hearing and reviewed the application for the short form final plat on June 14, 2016; and

WHEREAS, the Planning Commission recommended approval of the application for the short form final plat with the following stipulations:

1. The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.
2. Building and site construction plans shall be submitted and approved by city staff prior to a building permit being issued.
3. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at its regularly scheduled meeting on July 20, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That the Governing Body hereby approves the short form final plat for the consolidation of Lots C-12 and C-13 of the Pinehurst North Subdivision, 4th Plat, Basehor, Leavenworth County, Kansas with the following stipulations:

1. The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.
2. Building and site construction plans shall be submitted and approved by city staff prior to a building permit being issued.
3. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations.

Section 2: That this ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Basehor, Kansas as provided by law.

PASSED by the City Council this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

SEAL

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney

PINEHURST NORTH AND PINEHURST NORTH 2ND PLAT- REPLAT (SHORT-FORM PLAT) OF LOTS C-12 & C-13

REQUEST FOR APPROVAL OF A SHORT-FORM PLAT –
A replat of lots C-12 and C-13 within Pinehurst North Subdivision with a location between 15604 and 15630 Pinehurst Drive, approximate address of 15610 Pinehurst Drive.

MEETING DATE: **June 14, 2016**
REPORT WRITTEN: **May 13, 2016**

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve the Short-Form Plat (Replat), with staff recommendations stated in this report.

APPLICANT:
- The applicant is Scott and Maggie Seele.
- The surveyor is Pruitt and Dooley Surveying, LLC.

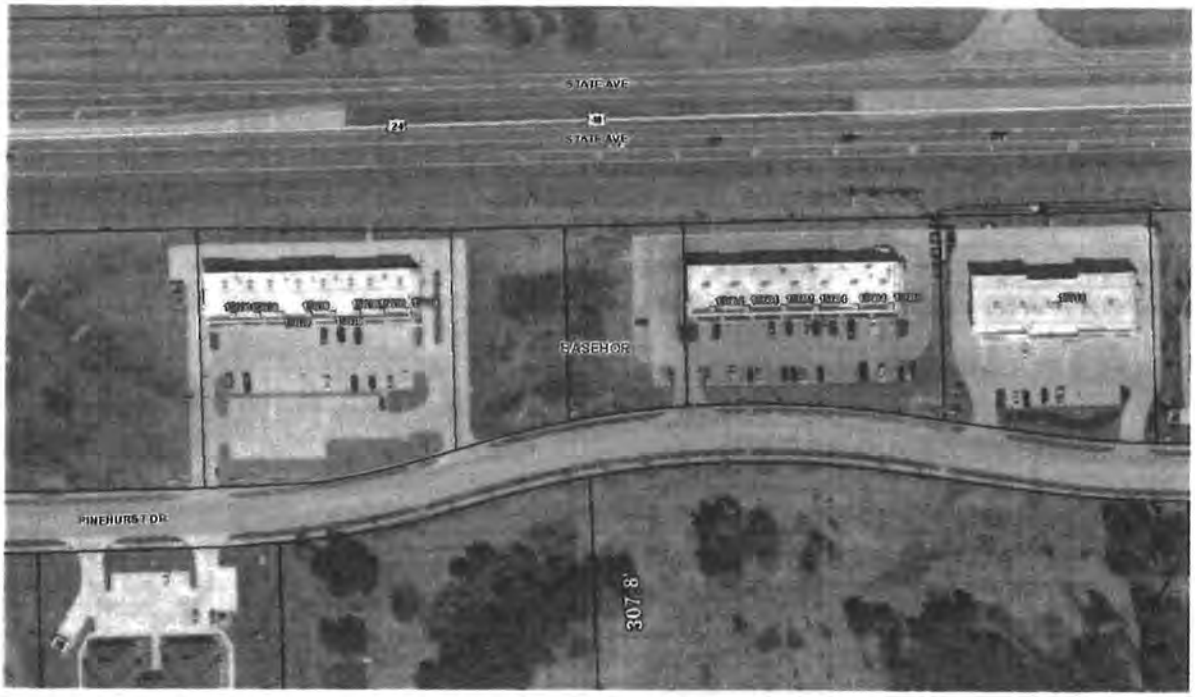
REQUEST:
- The applicant is requesting approval to combine Lots C-12 and C-13 to create a single lot for the purposes of a constructing an early childhood learning center. The lot will consist of 48,632 square feet.

ZONING:
- The property is currently zoned "CP-1" Neighborhood Commercial as a result of Planning Commission and Governing Body's approval of the rezoning on February 2, 2016 and March 16, 2016 respectively.

SURROUNDING ZONING:
- North CP-2 General Business District (across US 24/40)
- South CP-2 General Business District
- East CP-2 General Business District
- West CP-2 General Business District

BACKGROUND:
The Pinehurst North subdivision was first platted in 2003. In 2006, lots C-12 and C-11 were replatted in order to increase the size of lot C-11 for a larger commercial structure. Lots C-12 & C-13 have been vacant since the Pinehurst North subdivision was platted in 2003.

A short-form plat procedure is being utilized for this application. The purpose for a short-form plat is to provide a means of approving a subdivision of land that contains four (4) lots or less. Short-form plat shall serve as the final plat of the subdivision. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval; provided, that the public hearing requirements outlined in preliminary plats are met.



Traffic Impact

The additional traffic that will be created by the proposed replat and subsequent construction of the early childhood learning center was taken into full consideration during the initial platting of the Pinehurst North subdivision. As the property was zoned CP-2 General Business and the surrounding properties are currently zoned CP-2; this land use constitutes heavily used commercial property with appropriate traffic studies being conducted previously. Traffic patterns and flows were taken into consideration during the platting and zoning of the property in 2003.

Stormwater Management

Stormwater Management facilities will not be changed with the approval of the subject plat but will be required to be installed as a requirement of the construction of the early childhood learning academy.

Transportation Excise Tax:

Transportation excise taxes for commercial properties are paid in advance upon initial platting of commercial lots, therefore all excise taxes have been paid in full.

Parkland Fee:

Per the City's fee schedule, the park fee for each lot is $200 and is collected with the building permit.

Utilities

No new utilities will be proposed with the subject plat other than feeder lines for the purposed new construction. As part of the replat, all existing utility easements bordering lots C-12 and C-13 shall

remain, as well as, a twenty (20') foot sewer easement that lies partially within the eastern boundary of the lot. Staff has informed all utility companies of the application for the proposed final plat.

Subdivision Regulations Requirements

The items to be submitted with and included on the final plat per the Subdivision Regulations requirements and any appropriate comments from the applicant are provided in the included checklist.

STAFF RECOMMENDATION:

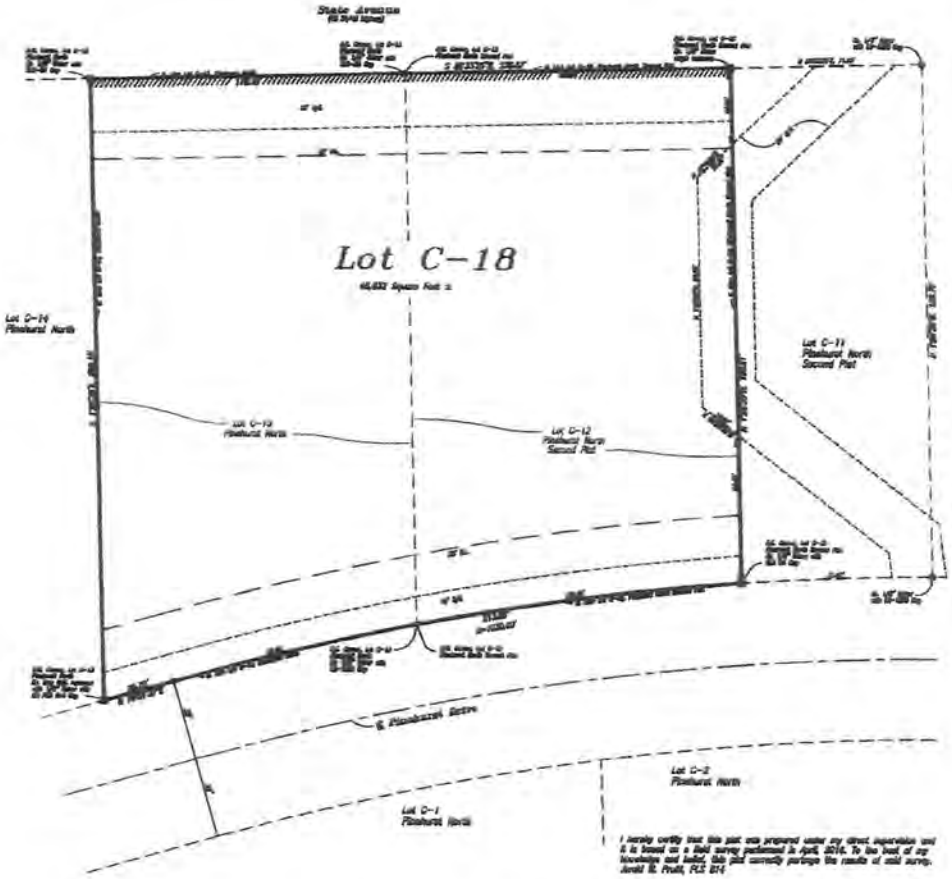
Staff recommends approval of the Pinehurst North 4th Plat, Short-Form Final Plat application, with the following stipulations:

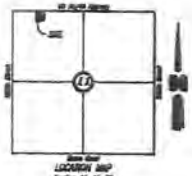
1. **The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.**
2. **Building and site construction plans shall be submitted and approved by city staff prior to a building permit being issued.**
3. **In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations.**

FINAL PLAT OF

PINEHURST NORTH FOURTH PLAT

A REPLAT OF LOT C-13, PINEHURST NORTH, AND
LOT C-12, PINEHURST NORTH SECOND PLAT, SUBDIVISIONS
IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS
NORTHWEST 1/4, SECTION 11, TOWNSHIP 11 SOUTH, RANGE 22 EAST





LOCATION MAP
Section 11-11-22
Scale 1" = 2000'

I hereby certify that this plat was prepared under my direct supervision and it is based on a field survey performed in April, 2016. To the best of my knowledge and belief, this plat correctly portrays the results of said survey.
Jerald W. Pruitt, PLS 814

DESCRIPTION: All of Lot C-13, PINEHURST NORTH, and Lot C-12, PINEHURST NORTH SECOND PLAT, subdivisions in the City of Basehor, Leavenworth County, Kansas.
Containing 45,632 square feet, or 1.048 acres, more or less.

DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "PINEHURST NORTH FOURTH PLAT."

The streets and roads shown on this plat are not heretofore dedicated or thoroughfares are hereby dedicated to the City of Basehor, Leavenworth County, Kansas.

An easement or license to utility users, owned, operated and maintained or authorized by franchise, construction, or maintenance and use of conduits, pipes, poles, wires, drainage facilities, water and sanitary sewers, gas lines, and other similar facilities, over, under and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Basehor, Leavenworth County, Kansas, and to the assignees.

An easement or license to the conditions, city parks, reserves and reserve area or areas shown, over and all appurtenances necessary for the installation of sanitary sewers, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat is hereby granted to the City of Basehor, Leavenworth County, Kansas, and to the assignees.

All previous lines have been paid prior to the execution of this plat.

RESTRICTIONS:

The use of all lots, units and properties in this subdivision shall hereby be restricted to the provisions and restrictions for this subdivision, which instrument will be filed in the Office of the Register of Deeds of Leavenworth County, Kansas, as previous shown, and which shall hereby become a part of the dedication of this plat as though said herein.

EXECUTION:

IN TESTIMONY WHEREOF, Jeanne Hollon, as managing member of Hill Enterprises, LLC, has caused this instrument to be executed this day of _____, 2016.

Hill Enterprises, LLC

Jeanne Hollon, Managing Member

ACKNOWLEDGMENT:

STATE OF KANSAS }
COUNTY OF LEAVENWORTH } ss.

BE IT REMEMBERED, that on this _____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said County and State, came Jeanne Hollon, Member who is personally known to me to be the managing member of Hill Enterprises, LLC, owner of the property shown hereon, and such duly acknowledged the execution and of the plat being made with their desire and in dedication for the uses shown on this plat for the purposes and for the public purposes stated herein.

_____ My Commission expires: _____
Notary Public

APPROVALS

Planning Commission:
APPROVED by the Planning Commission of the City of Basehor, Leavenworth County, Kansas, this _____ day of _____, 2016.

Jon Hollon, Chairman — Dawn Lingrell, Secretary

Governing Body:
APPROVED by the Governing Body of the City of Basehor, Leavenworth County, Kansas, this _____ day of _____, 2016.

Scott C. Bruce, Mayor — Patricia Bird, City Clerk

City Engineer:
The City Engineer's seal below is only for general conformance with the Subdivision Regulations as adopted by the City of Basehor. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

City Engineer — Date

County Surveyor:
I hereby certify that this plat meets the requirements of K.S.A. 58-2001. The laws of the plat was reviewed for compliance with certain Uniform Standards for Boundary Surveys. No field verification is implied. See notes 5 for survey information only.

Ryan Beckett, County Surveyor — Date

REGISTER OF DEEDS CERTIFICATE:

This plat of PINEHURST NORTH FOURTH PLAT was filed with me on the _____ day of _____, 2016 A.D., at _____ and duly recorded in Volume _____ of plats, at Page _____.
Document No. _____

Stacy Driscoll, Register of Deeds, Leavenworth County, Kansas

Scale 1" = 20'
20 10 0 20 40
SCALE IN FEET

N

PINEHURST NORTH FOURTH PLAT	
Section 11, Township 11 South, Range 22 East Basehor, Leavenworth County, Kansas	
PRATT and DOBBS SURVEYING, LLC 7912 Elm Ave. Raytown, MO 64138 816-686-4330	10777 Barkley, Ste. 220-n Overland Park, KS 66211 913-652-9002
Jd No. 01-009 Planned Unit Development	Surf. Ac. area Gross Ac. 1.048	1 of 1

Owner:
Hill Enterprises, LLC
21000 W. 130th Street
Olathe, KS 66061
913-787-3883

City of Basehor

Agenda Item Cover Sheet

Consent Agenda Item D

Topic: Employee manual update

Action Requested: Approve Resolution 2016-17 amending the Personnel Manual for the Employees of the City of Basehor

Narrative: From time to time the Personnel Manual needs to be updated or revised based on council decisions. Section A-8 allows for these periodic updates via resolution. We are currently amending Section F-11 (educational tuition/fees reimbursement and leave). Section G-2 (Employer provided deferred compensation benefits). Section G-10 (Flexible benefit plan). Section G-12 (Health Care program). Section S-1 (residency requirements).

Presented by: Lloyd Martley, Chief of Police/City Administrator

Administration Recommendation: Approve Resolution 2016-17

Committee Recommendation: N/A

Attachments: Resolution 2016-17
Updated pages of personnel manual

Projector needed for this item?

No

RESOLUTION NO. 2016-17

A RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL MANUAL FOR THE EMPLOYEES OF THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS

WHEREAS, the Governing Body of the City of Basehor, Kansas, adopted a compilation of written personnel policies, procedures and guidelines for employees of Basehor, Kansas, known as the Personnel Manual and effective August 1, 2010; and

WHEREAS, Section A-8 of the Personnel Manual allows for the amendment of its policies via resolution; and

WHEREAS, the Personnel Manual needs to be updated and amended from time to time; and

WHEREAS, the City Council has determined the amendments attached as Exhibit A to be necessary and appropriate.

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

Section 1. That the Personnel Manual be amended to read as attached as Exhibit A with the amendments highlighted in red text.

Section 2. That this resolution shall become effective upon passage.

ADOPTED by the Governing Body this 20th day of July, 2016.

SIGNED by the Mayor this 20th day of July, 2016.

SEAL

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____

Shannon M. Marcano, City Attorney

EXHIBIT A

Personnel Manual (redlined)

F-11. Educational Tuition/Fees Reimbursement and Leave.

(a) Any full time employee after completing one year of service wishing to attend college or technical school to enhance overall knowledge, skills, and job performance, and at the same time increase the individual's value to the City as an employee, may submit a written request to their department head for the reimbursement of tuition. The request must be submitted prior to enrolling in the class, include the name of the class, the cost, and verification as to how it will enhance the employee's job performance with the City of Basehor.

If approved by the department head and the City Administrator, the employee will be reimbursed the cost of tuition, fees and book expenses upon successful completion of the class, obtaining a "B" grade or better not to exceed $2,000 per year. After reimbursement for college course work or technical school certificates the employee must continue satisfactory employment for a 12 month period or the reimbursement amount will have to be repaid.

(b) Employees receiving approval to attend a college or on-going class during work hours will be required to make up any lost work time. Arrangements to do so must be coordinated through the employee's immediate supervisor and approved by the department head and City Administrator.

G-2. **Employer Provided Deferred Compensation Benefits.** All eligible employees, with the exception of sworn police officers, are covered under the City's deferred compensation program (401-A). Under this plan, the employer's contribution is 11% of gross wages for all employees hired before 8/1/2011. For employees hired after 8/1/2011 to 8/1/2013, the rate shall be 8% of gross wages. For employees hired after 8/1/2013, the rate shall be 5% of gross wages. For employees hired after 1/1/2017 the first three (3) years of employment the rate shall be 3% of gross wages and will increase to 5% after (3) years of service. The City will begin depositing funds into the 401-A plan for the employee beginning with their first paycheck. There will be a three (3) year vesting period from the date of hire, at which time the employee will be fully vested. The cost of this benefit is paid entirely by the employer.

G-10. **Flexible Benefit Plan.** The City of Basehor provides the use of a Flexible Benefit Plan, better known as a "Cafeteria Benefit Plan" under Section 125 of the Internal Revenue Code for its employees. The Cafeteria Benefit Plan allows employees to designate a specified amount of their salary for various optional group insurance programs.

G-12. Health Care Program.

(a) Full-time employees shall be eligible for the City's group health care insurance program on the first of the month following a waiting period of 60 days which commences with the initial date of employment.

(a) The Governing Body shall determine, on an annual basis, the amount of the City's financial participation in the group health care insurance plan.

(b) Currently the City contributes one-hundred percent (100%) of the employee's health care insurance, dental insurance, and vision insurance premium. The City pays a portion of qualified dependent/spouse health care insurance premiums per the Basehor Health Benefit Plan. Permanent part-time employees working 20 or more hours per week shall be eligible to purchase health care insurance at the rate of one-hundred percent (100%) out-of-pocket expense.

ARTICLE S. RESIDENCY

S-1. Requirements. Residency requirements for City of Basehor employees include the following:

(a) The City Administrator shall live within the city limits (unless exception granted by Governing Body).

(b) All emergency service employees shall live within 30 miles of the City limits.

S-2. Enforcement. Enforcement of violations and penalties will be as follows:

(a) If an emergency service employee moves outside the required residency boundary, such employee shall be considered to have resigned their position with the City.

(b) Maintaining a mailing address within the required residency boundary shall not be sufficient to meet the residency requirements. Emergency services employees shall be required to actually reside within the required boundary.

(c) Location of residency shall not be an excuse for absences or tardiness and may result in a deduction of pay, disciplinary action and/or discharge.

(d) It shall be the responsibility of each employee to immediately notify the Administration office of any change in residence address or telephone number.

(e) The City Administrator shall have the power to promulgate, in writing, rules and regulations which shall be reasonably necessary for the purpose of carrying out the provisions of this policy.

City of Basehor

Agenda Item Cover Sheet

Consent Agenda Item E

Topic: Understanding of Engagement with Allen, Gibbs & Houlik, L.C. (AGH – Ben Hart)

Action Requested: Approve Resolution 2016-18 authorizing the City Administrator to execute the agreement for professional accounting services with AGH.

Narrative: AGH provides professional accounting services for the City of Basehor. AGH has provided accounting services for the past three years and are simply updating the agreement to reflect some minimal changes in pricing. No other services have changed from the previous agreement.

Presented by: Lloyd Martley, Chief of Police/City Administrator

Administration Recommendation: Approve Resolution 2016-18

Committee Recommendation: N/A

Attachments: Understanding of Engagement
Resolution 2016-18

Projector needed for this item?

No

RESOLUTION NO. 2016-18

A RESOLUTION APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THAT CERTAIN AGREEMENT FOR PROFESSIONAL ACCOUNTING SERVICES BY AND BETWEEN THE CITY OF BASEHOR, KANSAS AND ALLEN, GIBBS & HOULIK, L.C.

WHEREAS, the City of Basehor, Kansas wishes to enter into that certain Agreement for Professional Accounting Services with Allen, Gibbs & Houlik, L.C., attached hereto as **Exhibit A**, regarding professional accounting services for the City of Basehor, Kansas.

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

Section 1. That the Governing Body approves and hereby authorizes the City Administrator to execute the Agreement for Professional Accounting Services, attached as **Exhibit A**.

Section 2. That this resolution shall become effective upon passage.

PASSED by the Governing Body this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

[SEAL]

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney

Exhibit A
Agreement for Professional Accounting Services

To be attached.

AGH
CPAs & ADVISORS

COPY

July 7, 2016

Chief Lloyd Martley
City Administrator
City of Basehor, Kansas
2620 N 155th St.
Basehor, KS 66007

Dear Mr. Martley:

UNDERSTANDING OF ENGAGEMENT

Thank you for allowing Allen, Gibbs & Houlik, L.C. (AGH) to propose professional accounting services to the City of Basehor, Kansas (Client). We recognize the importance of the services required, as well as factors such as qualifications, timeliness, and cost of professional services. AGH would provide quality services by people who would devote themselves to establishing close relationships with you. A firm with local, Kansas City presence, we are able to efficiently respond to your needs.

We feel that arriving at a clear understanding of the services that we have to offer as well as an understanding of your responsibilities are vital to establishing a successful, long-term arrangement. Based on our understanding of your current accounting needs we are presenting the following integrated schedule of services.

Initial Review of Accounts and Records

- Review all bank statements and reconciliations performed by staff to ensure proper reconciliations have taken place.
- Review accounts receivable and payable for proper recording of transactions.

Monthly Controller (Accounting) Services

Monthly Services Made Available to the City

- Review trial balance and general ledger detail from client's accounting system.
- Prepare adjusting journal entries (AJE's) as needed.
- Oversee monthly closing process of transactional subsystems and general ledger.
- Review and/or assist with reconciliations of significant account balances, including but not limited to balance sheet accounts, to detail journals or reports.
- Other general assistance requested by you.
- Assistance with preparation for the annual external audit (as needed), including preparation of required work papers.

The services we would perform are not designed and cannot be relied upon to disclose errors, fraudulent financial reporting, and misappropriation of assets or illegal acts, should any exist. However, we would inform the appropriate level of the client's management of any material errors, and any evidence of fraudulent financial reporting or misappropriation of assets that come to our attention. In addition we would inform the appropriate level of client's management of any illegal acts that come to our attention. All of the information included in the financial system is the representation of the client. We direct your attention to the fact that the client has the responsibility for, (1) establishing and maintaining effective internal control over financial reporting, including

monitoring ongoing activities, (2) the proper recording of the transactions in the books of account, (3) the safeguarding of assets, (4) the substantial accuracy of the financial statements, (5) prevention and detection of fraud, and (6) identifying and ensuring that Client complies with the laws and regulations applicable to its activities.

In addition, we understand that the City may issue long-term bonds or require advice regulated by the Securities and Exchange Commission's Municipal Securities Rulemaking Board (MSRB) rule G-42. By your signature below you are acknowledging that the City is represented by, and will rely upon, advice from its Municipal Advisor as defined by the MSRB rule G-42 concerning the issuance of municipal securities and municipal financial products (including investments of bond proceeds and escrow investments, if applicable).

Other Services

It is understood that, from time to time, AGH may provide other services that are not contemplated hereby or are not otherwise encompassed in this understanding of arrangements for services. Such other services may be the subject of a separate letter addressing the arrangements for those services. However, in some cases, such other services may not be specifically addressed by a separate arrangement letter. In the event that AGH provides other services not encompassed by this arrangement letter, or another arrangement letter, engagement letter, or contract, it is understood and agreed that any such services would be expressly subject to then current "*Allen, Gibbs & Houlik, L.C. Other Services Conditions and Limitations*", in effect when the service is provided, which are located at www.aghlc.com/otherservices/terms. You may contact AGH to request a printed copy. It is further agreed that any services provided by AGH prior to the date of this letter, and not subject to a written arrangement letter, engagement letter, or similar contractual arrangement, shall be subject to this "Other Services" provision, in this arrangement letter, and the referenced Other Services Conditions and Limitations as of that date.

Charges and Billings

Services outlined above will be billed at our discounted standard rates outlined below depending on the personnel performing the services.

	Standard	Discounted
Partner	$ 275	$ 210
Manager	$ 180	$ 180
Senior Staff	$ 150	$ 150
Staff	$ 125	$ 100

We will bill your organization monthly, with payment due within 30 days. We reserve the right to charge interest on past due accounts, as well as to discontinue services if not paid promptly. AGH retains the right to change fees for services at any time with 30 days written notice and anticipates annual fee adjustments sufficient to cover cost of living increases. The time period of our services shall be subject to mutual, ongoing agreement, and either party can terminate services at any time by promptly advising the other party.

It is our practice **not to bill** our clients for telephone consultation unless substantial research time is required. If that is the case we would discuss potential costs with you before beginning any work.

Your Responsibilities

Your responsibilities include:

- Providing copies of or having access to bank statements and reconciliations
- Access to accounting software (on-site)
- Access to check stubs and deposit slips with account coding
- Copies of investment balances / debt balances / remittance advices, if applicable
- Providing copies of all invoices for property asset additions
- Recording all receipts and disbursement activity in accounting software
- Determine proper initial account coding of all transactions
- Review and approve all adjusting journal entries suggested by AGH prior to recording
- Providing other accounting records as determined necessary and requested by AGH

We understand that Lloyd Martley, City Administrator has been designated to oversee the outsourcing services provided by AGH. Further, the undersigned hereby acknowledges that it is the responsibility of the client to establish and maintain their internal controls, including monitoring ongoing activities.

We direct your attention to the fact that client has the responsibility for the proper recording of the transactions in the books of account, the safeguarding of assets, the substantial accuracy of the financial statements, and identifying and ensuring each company complies with the laws and regulations applicable to its activities.

Conditions and Limitations

To assist you in understanding the scope of our services and other matters related to the completion of these compilation services, we have attached a copy of the *"Allen, Gibbs & Houlik, L.C. Conditions and Limitations"*. Our compilation services are expressly subject to these conditions and limitations and by signing below you would be agreeing to them.

Our services have been offered based on AGH's understanding of your needs, and would be expanded, based upon our understanding of your business activities. We trust that this proposal conveys to you our conviction that we are uniquely qualified to fulfill the accounting and financial reporting needs of your organization and are enthusiastically prepared to do so. The City of Basehor, Kansas is an important client and one that AGH would be extremely proud to serve.

We would be pleased to discuss this letter with you at any time. If the above terms are acceptable to you, and the services outlined are in accordance with your requirements, please sign the copy of this letter in the space provided below and return it to us.

Respectfully,

ALLEN, GIBBS & HOULIK, L.C.

Benjamin O. Hart

Benjamin O. Hart
Vice President, Assurance Services

BOH:llm

The services described in the foregoing letter are in accordance with our requirements and acceptable to us.

_____ _____

Signature Date

_____

Title

AUTHORIZATION FOR INTERNET DATA TRANSFERS

This agreement sets forth the terms and conditions agreed to by Allen, Gibbs & Houlik, L.C. (AGH) and the Client for the transmittal of data through the Internet into or from AGH's e-mail system. AGH has informed the Client that Internet data transfers are susceptible to security breaches. If you allow Internet data transmission, the Client agrees that AGH shall not have any liability for lost data, unauthorized access to records, data or files, destruction of records, data or files, viruses, delays or failure of performance or suitability. The Client agrees to hold harmless AGH, its shareholders, agents or employees from any damages or expenses arising out of or resulting from any use of AGH's e-mail system whether or not authorized.

The Client authorizes Internet data transfers and agrees to these terms:

_____ _____

Signature Date

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 5

Topic: Change in zoning from R-O (Suburban Residential) to R-2 (Two-Family Residential) for the property located on the southwest corner of 156th Street and Leavenworth Road (3036 N. 156th Street).

Action Requested: Approve Ordinance 674, change of zoning classification from R-O to R-2 for 3036 N. 156th Street with five (5) stipulations.

Narrative: Mr. Greg Ernzen has presented an application request to change the zoning designation on a +/- 2.5 acre tract of land located on the southwest corner of 156th Street and Leavenworth Road. The request is to change the zoning from the current R-O, Suburban Residential to R-2, Two Family Residential. The applicant has presented a plan to plat the ground, construct approximately six (6) duplex units and install all appropriate infrastructure necessary for such a development.

On July 12, 2016, the Planning Commission conducted a public hearing and approved (4-0) the change in zoning with five (5) stipulations. There were no individuals present during the public hearing to speak in favor, nor against. There was one individual property owner present at the meeting that requested information from the applicant regarding a proposed timeline as to when the project may move toward completion, this homeowner currently resides just south of the property and is concerned about the potential impact upon their property value but did not express any discontent about the proposal.

In the staff report, stipulation #2 was not included in the approval by Planning Commission, at the time of report preparation, staff was conflicted on the amount of right of way that would need to be dedicated due to the changes taking place with the Leavenworth Road project, it had no bearing on the request for zoning change and will be included as a stipulation as the application moves forward to the platting stage.

Presented by: Mark Lee-Planning & Zoning Director

Administration Recommendation: Approve Ordinance 674, change in zoning classification for 3036 N. 156th Street five (5) stipulations stated within the Ordinance.

Attachments:
Ordinance 674
Staff report
Aerial satellite image of proposed layout

Projector needed for this item? No

ORDINANCE NO. 674

AN ORDINANCE REZONING PROPERTY LOCATED AT 3036 NORTH 156TH STREET, BASEHOR, LEAVENWORTH COUNTY, KANSAS FROM R-0 SUBURBAN RESIDENTIAL ZONING DISTRICT TO R-2 TWO-FAMILY RESIDENTIAL ZONING DISTRICT

WHEREAS, a request to rezone property located at 3036 North 156th Street from the existing R-0 Suburban Residential zoning district to the R-2 Two-Family Residential zoning district was submitted to the City; and

WHEREAS, a public hearing was held by the Basehor Planning Commission on July 12th , 2016, and notice of such public hearing was provided in accordance with Kansas state law and the Basehor Zoning Code; and

WHEREAS, on July 12th , 2016 the Basehor Planning Commission considered the request and recommended approval of the zoning request to rezone property from the existing R-0 Suburban Residential zoning district to the R-2 Two-Family Residential zoning district with the following stipulations:

1. The applicant shall be responsible for:

   a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all individual dwelling units at time of building permit issuance. This fee shall be $200.00 per individual dwelling unit.

   b) Transportation Improvements Impact Fee- a total of $10,074.33 in excise tax shall be paid in full or $839.53 per dwelling unit shall be paid at the time of building permit issuance.

2. Any and all sidewalks that may be required shall be installed as per street construction standards.

3. A Subdivision Improvement Agreement shall be prepared and approved by City Council coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.

4. A preliminary plat and final plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The final plat shall be recorded with the Leavenworth County Register of Deeds.

5. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at it's regularly scheduled meeting on July 20th, 2016, for consideration.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That the property hereinafter described, now zoned R-0 Suburban Residential zoning district, is hereby rezoned to R-2 Two-Family Residential zoning district, to wit:

3036 North 156th Street

Section 2. That the following stipulations shall apply:

The applicant shall be responsible for:

a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all individual dwelling units at time of building permit issuance. This fee shall be $200.00 per individual dwelling unit.

b) Transportation Improvements Impact Fee- a total of $10,074.33 in excise tax shall be paid in full or $839.53 per dwelling unit shall be paid at the time of building permit issuance.

2. Any and all sidewalks that may be required shall be installed as per City of Basehor street construction standards.

3. A Subdivision Improvement Agreement shall be prepared and approved by City Council coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.

4. A preliminary plat and final plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The final plat shall be recorded with the Leavenworth County Register of Deeds.

5. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

Section 3: That the Official Zoning Map of the City of Basehor, Kansas is hereby amended in accordance with Section 1 of this ordinance.

Section 4: That this ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Basehor, Kansas as provided by law.

PASSED by the City Council this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

SEAL

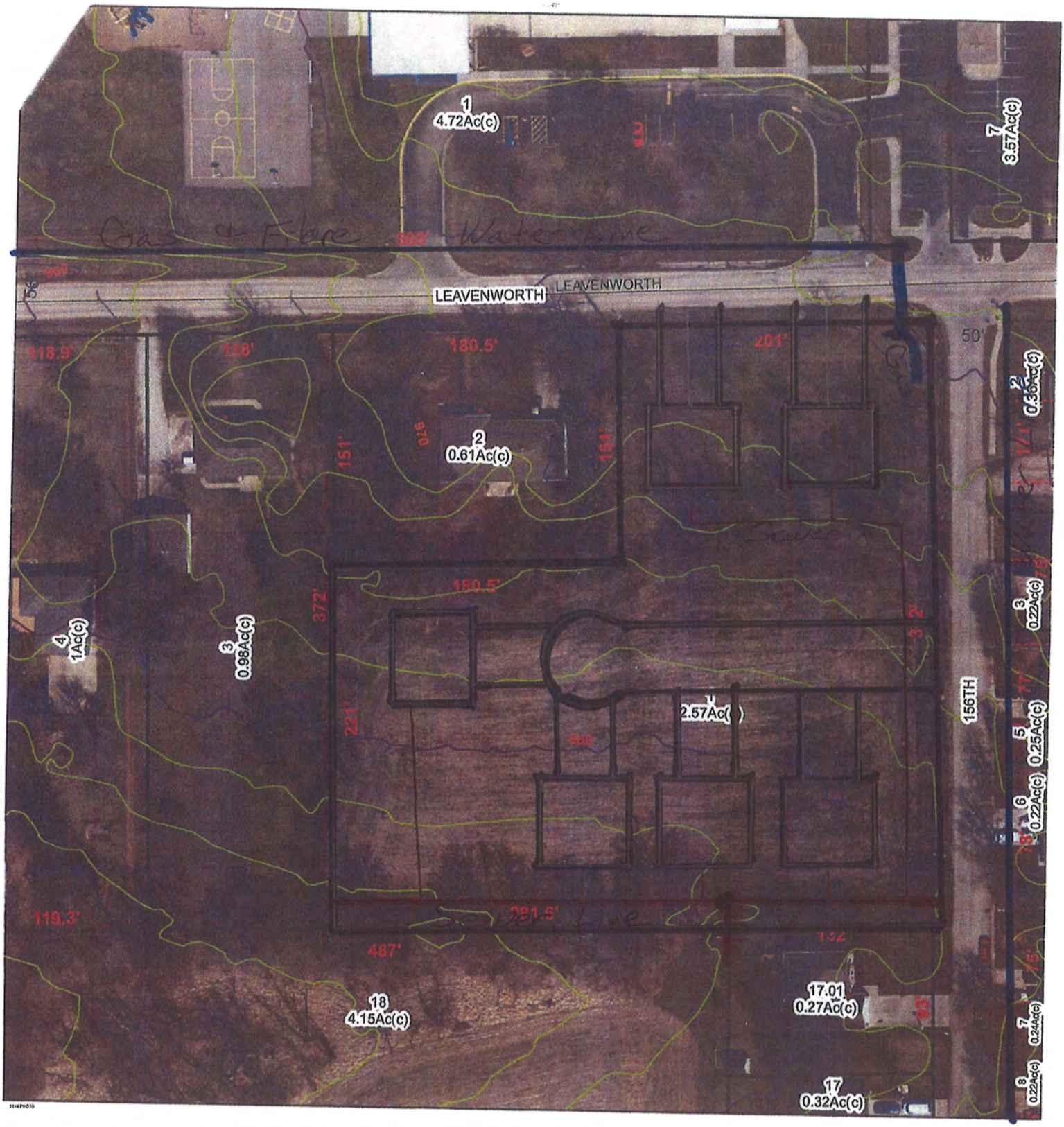
_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney



1 inch = 80 feet

N

LEAVENWORTH COUNTY
MAP# 081
TWP 8S RNG 21E SEC: 1, 2, 11 ,14
DATE: 04-15-2016

REQUEST FOR APPROVAL OF A ZONING CHANGE FROM R-O – SUBURBAN RESIDENTIAL DISTRICT TO R-2 – TWO FAMILY DISTRICT FOR 3036 N. 156TH STREET, A 2.5 ACRE TRACT LOCATED AT LEAVENWORTH ROAD AND 156TH STREET.

MEETING DATE: **July 12, 2016**
REPORT WRITTEN: **June 14, 2016**

APPLICANT:

- Greg Ernzen, dba; Ernzen Homes LLC.

REQUEST:

- The applicant is requesting approval to rezone a 2.5 acre tract located on the southeast corner of Leavenworth Road and 156th Street from R-O Suburban Residential District to R-2 Two-Family Residential District. The full intent of the applicant is to rezone, plat and construct an estimated six, two-family duplex dwelling units.

COMPREHENSIVE PLAN/FUTURE LAND USE MAP:

- The Future Land Use Map designates this property as R-O Suburban Residential District.

SURROUNDING ZONING:

- North R-1 Single Family Residential (Basehor Linwood Elementary School)
- South R-1 Single Family Residential and R-O Suburban Residential Districts
- East R-2 Two Family Residential District
- West R-O Suburban Residential District.

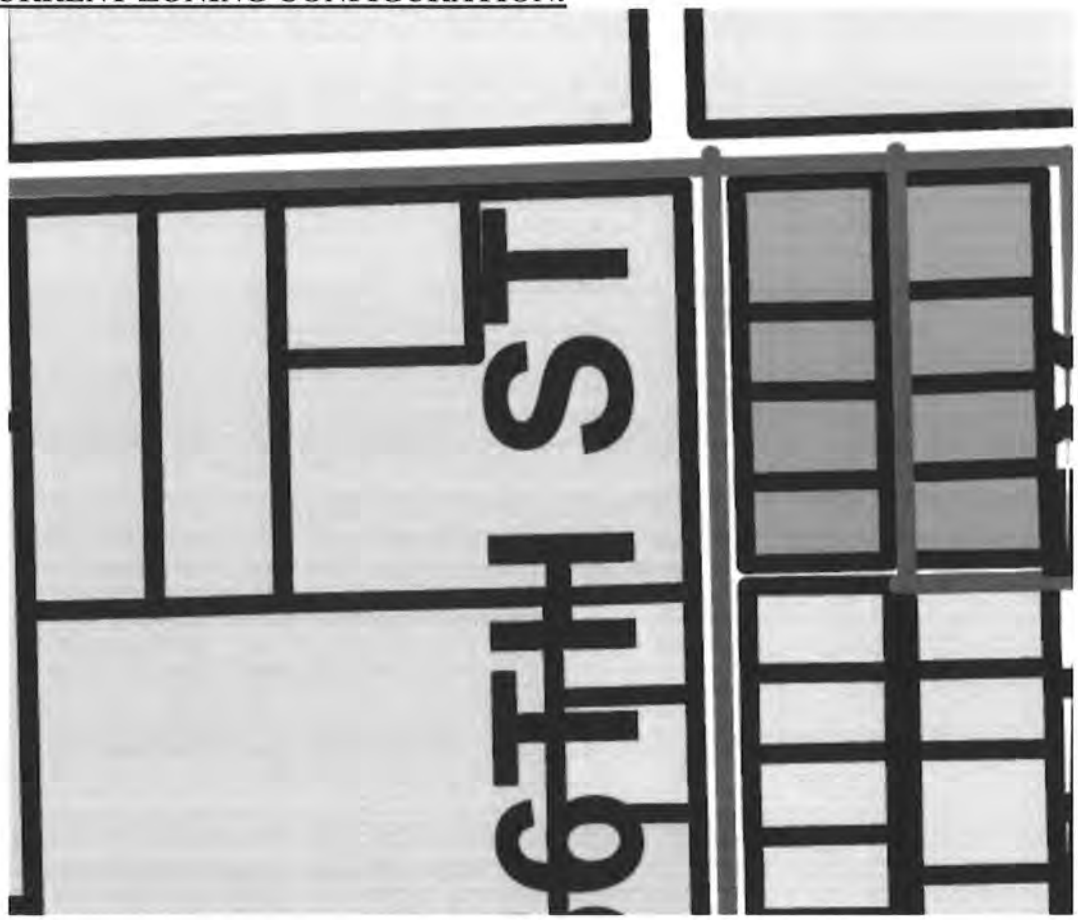
BACKGROUND:

The 2.5 acre tract is not currently platted and has been vacant since 2011 prior to that the tract had been the home to an older farm house that fell into disrepair and was removed by the owner.

The purpose of the R-2 Zoning District is to provide for moderate density residential development, including duplex and higher density single family dwellings, to encourage strong residential neighborhoods. In comparison the purpose of the R-O Zoning District is to provide for agricultural and related uses and to preserve and protect agricultural resources.

The applicant has presented plans to construct up to six (6) two-family duplex units, install public utility infrastructure, as well as a new public cul-de-sac street which will provide access to four of the six units.

THE CURRENT ZONING CONFIGURATION:



REZONING:

According to Article 18, Section 8 of the Basehor Zoning Ordinance and the *Golden* case, the factors to be used in determining approval or denial of an application for rezoning are as follows:

CHARACTER OF THE IMMEDIATE AREA – The immediate area consists of a variety of residential uses from single family dwellings to two-family duplex dwellings to a large agricultural tract.

THE ZONING AND USES OF THE PROPERTY NEARBY – The properties immediately surrounding these lots are zoned R-O, R-1 and R-2; Suburban Residential, Single Family Residential and Two-Family Residential, respectfully.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED – The property is currently vacant. The current zoning district, R-O Suburban Residential District, does not allow for the construction of two-family dwellings, although it does allow for the construction of single family dwellings on large lots of a minimum of ten-thousand square feet (10,000 sq.ft.), the current zoning districts intent is for large acreage tracts that include acres of agricultural ground.

THE EXTENT TO WHICH REMOVAL OF THE PRESENT ZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTY – Rezoning the property from R-O, Suburban Residential District to R-2, Two-Family Residential District will maintain the residential character of the property, and will have a minimal impact on nearby property by blending in to the current housing structures located around the general area.

THE LENGTH OF TIME THE PROPERTY HAS REMAINED VACANT AS ZONED – The property has been completely vacant since 2011. It has not had a livable structure located upon the property for over twenty (20) years.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS – Because the applicant is requesting a rezoning from one residential district to another, denial of the request would not affect the value of the land, and would not impose a great hardship on the applicant as the property could be utilized for other uses allowed in the current zoning district. However, as the property is already zoned as a residential district, there would be little gain to the public health, safety and welfare if the rezoning request were denied.

RECOMMENDATION OF PROFESSIONAL STAFF- Staff recommends approval of the request to rezone the property to R-2, Two-Family Residential District.

THE CONFORMANCE OF THE REQUESTED REZONING TO THE DULY ADOPTED COMPREHENSIVE PLAN – The Comprehensive Plan's future land use map identifies the subject property as R-O Suburban Residential District. Although the rezoning to R-2; Two-Family Residential District is a zoning of a more intense district, it still maintains the residential character of the area and allows uses that are compatible with the uses allowed in the R-1 Single Family Residential District.

> The Comprehensive Plan states:
> *Two-Family Residential District is considered Moderate Density Residential consisting of smaller lot single-family detached and attached dwellings and duplexes. This category is also appropriate for planned public and semi-public uses which are generally considered compatible with residential uses. 4.0 to 7.0 units per acre. The intent of this district is to create a transition between Single Family Residential (R-1) and Multi-Family Residential (R-3) development patterns.*

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning of 3036 N. 156th Street from R-O Suburban Residential District to R-2 Two-Family District with the following stipulations.

1. The applicant shall be responsible for:
    a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all individual dwelling units at time of building permit issuance. This fee shall be $200.00 per individual dwelling unit.

b) Transportation Improvements Impact Fee- a total of $10,074.33 in excise tax shall be paid in full or $839.53 per dwelling unit shall be paid at the time of building permit issuance.

~~2. The applicant shall dedicate an additional seventeen feet six inches (17'½") of right of way along Leavenworth Road for the entirety of the northern property line for the future widening of said street.~~

3. Any and all sidewalks that may be required shall be installed as per street construction standards.
4. A subdivision Improvement Agreement shall be prepared and approved by City Council coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.
5. A preliminary plat and final plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The final plat shall be recorded with the Leavenworth County Register of Deeds.
6. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 6

Topic: Replat of Lot 99, Tract A and the Common Ground/Emergency Access Drive of Cedar Lake Estates Phase 1 and 2 respectively.

Action Requested: Approve Ordinance 675, Final Plat of Cedar Lake Estates Phase 1 with the stated stipulations.

Narrative: The Cedar Lake Estates Phase 1 was platted in 1995 and in 1998 Phase 2 was platted. It was determined recently that a portion of the Cedar Lake Estates Clubhouse was constructed over a property line. This replat is being conducted in an effort to alleviate these property line disputes and rectify the situation at hand.

On July 12, 2016, the Planning Commission conducted a public hearing and approved the final plat/replat with two (2) stipulations. There were no individuals present to speak in favor, nor against, other than the applicants.

Presented by: Mark Lee-Planning & Zoning Director

Administration Recommendation: Approve Ordinance 675, Final Plat/Replat of Lot 99, Tract A and the Common Ground/Emergency Access Drive with the two(2) stipulations stated within the Ordinance.

Attachments:
Ordinance 675
Staff report
Reduced image of existing conditions (11X17 Copy)
Reduced image of the Final Plat (11X17 copy)

Projector needed for this item? No

ORDINANCE NO. 675

AN ORDINANCE APPROVING A REVISED FINAL PLAT FOR CEDAR LAKE ESTATES LOT 99 AND COMMON GROUND/EMERGENCY ACCESS DRIVE, LOCATED IN BASEHOR, LEAVENWORTH COUNTY, KANSAS

WHEREAS, an application for a Revised Final Plat was submitted to the City to adjust the lot lines between Lot 99 and common ground and an emergency access drive; and

WHEREAS, in accordance with the Basehor Subdivision Regulations the Planning Commission reviewed the Revised Final Plat for Cedar Lake Estates Lot 99 and Common Ground/Emergency Access Drive on July 12th , 2016 and recommend approval with the following stipulations:

1. The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.

2. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at it's regularly scheduled meeting on July 20th, 2016, in accordance with the Basehor Subdivision Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That the Governing Body hereby approves the Revised Final Plat for Cedar Lake Estates Lot 99 and Common Ground/Emergency Access Drive with the following stipulations:

1. The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.

2. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations.

Section 2: That this ordinance shall take effect and be in force from an after its publication in the official newspaper of the City of Basehor, Kansas as provided by law.

PASSED by the City Council this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

SEAL

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney

CONSIDER A REPLAT OF CEDAR LAKE ESTATES LOT 99 AND COMMON GROUND/EMERGENCY ACCESS DRIVE.

REQUEST FOR APPROVAL OF A SHORT-FORM PLAT (REPLAT) –
A replat of Lots 99 and Common Ground/Emergency Access Drive of Cedar Lake Estates Phase 2 and a portion of Tract A of Cedar Lake Estates Phase 1.

MEETING DATE: **July 12, 2016**
REPORT WRITTEN: **June 15, 2016**

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve the Short-Form Plat (Replat), with staff recommendations stated in this report.

APPLICANT:
- The applicant is Andrea Weishaut of Atlas Surveyors on behalf of the Cedar Lake Homes Association.
- The surveyor is Atlas Surveyors, LLC.

REQUEST:
- The applicant is requesting approval of a replat of Lots 99, Tract A and an area of ground known as the Common Ground/Emergency Access Drive.

ZONING:
- The property is currently zoned "R-1" Single Family Residential and will remain as the same zoning classification.

SURROUNDING ZONING:
- North R-1 Single Family Residential
- South R-1 Single Family Residential
- East R-1 Single Family Residential
- West R-1 Single Family Residential

BACKGROUND:
The Cedar Lake Estates Phase 1 was platted in 1995 and in 1998 Phase 2 was platted. It was determined recently that a portion of the Cedar Lake Estates Clubhouse was constructed over a property line. This replat is being conducted in an effort to alleviate these property line disputes and rectify the situation at hand.

A short-form plat procedure is being utilized for this application. The purpose for a short-form plat is to provide a means of approving a subdivision of land that contains four (4) lots or less. Short-form plat shall serve as the final plat of the subdivision. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval; provided, that the public hearing requirements outlined in preliminary plats are met.

Traffic Impact
No additional traffic will be created

Stormwater Management
Stormwater Management facilities will not be changed with the approval of the subject plat.

Transportation Excise Tax:
None is due as the property is fully developed.

Parkland Fee:
None is due as the property is fully developed.

Utilities
No new utilities are be proposed with the subject plat.

Subdivision Regulations Requirements

The items to be submitted with and included on the final plat per the Subdivision Regulations requirements and any appropriate comments from the applicant are provided in the included checklist.

STAFF RECOMMENDATION:

Staff recommends approval of the Cedar Lake Estates Replat of Lot 99, Tract A and the Common Ground Ground/Emergency Access Drive, with the following stipulations:

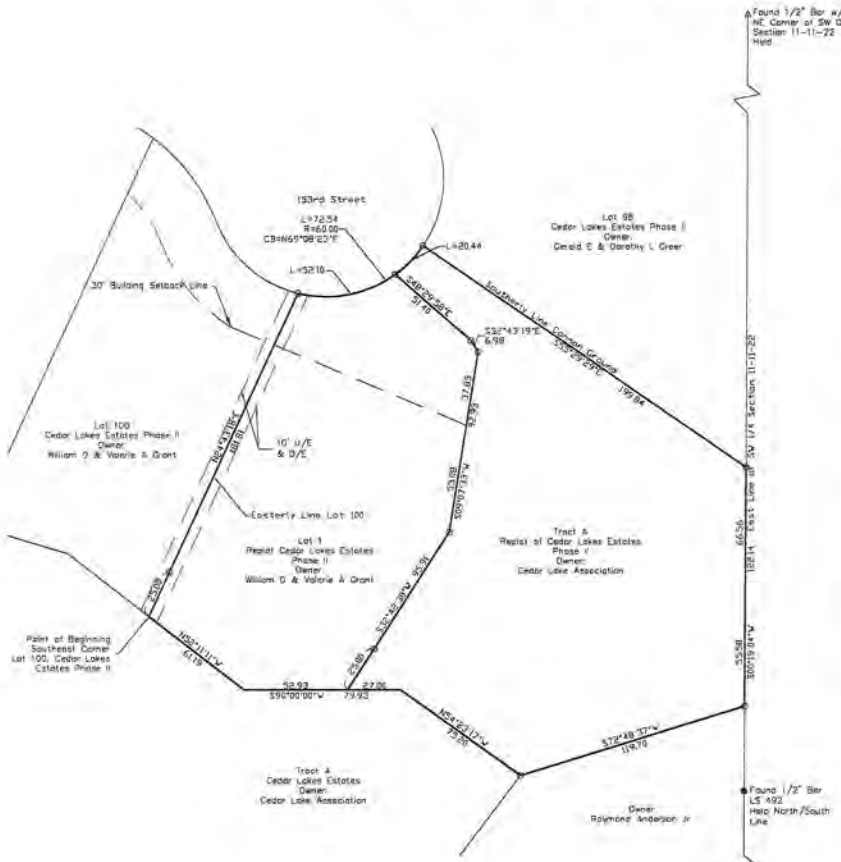
1. **The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.**
2. **In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations.**

FINAL PLAT

REPLAT OF CEDAR LAKE ESTATES PHASE 2

LOT 99 AND COMMON GROUND/EMERGENCY ACCESS DRIVE, CEDAR LAKES ESTATES PHASE 2, AND PART OF TRACT A, CEDAR LAKES ESTATES PHASE 1, IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS

Mapcheck 1: Replat Cedar Lake Estates
Closure Summary
Precision, 1 part in: 116303.868'
Error distance: 0.008'
Error direction: N87° 21' 35.21"E
Area: 53758.25 Sq. Ft
Square area: 53758.253
Perimeter: 812.350'
Point of Beginning
Easting: 2181224.5858'
Northing: 295428.8664'
Side 1: Line
Direction: N24° 43' 18.00"E
Angle: [-155.2783 (d)]
Deflection angle: [024.7217 (d)]
Distance: 181.810'
Easting: 2181300.3837'
Northing: 295594.0135'
Side 2: Curve
Curve direction: Counter-clockwise
Radius: 60.000'
Arc length: 72.540'
Delta angle: [086.2708 (d)]
Tangent: [41.445']
Chord direction: N69° 08' 38.00"E
Chord angle: [-135.5778 (d)]
Deflection angle: [044.4222 (d)]
Chord distance: [68.202']
Easting: 2181364.3170'
Northing: 295618.2950'
Side 3: Line
Direction: S55° 29' 29.00"E
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 199.840'
Easting: 2181528.9834'
Northing: 295505.0796'
Side 4: Line
Direction: S01° 19' 04.00"W
Angle: [-124.1908 (d)]
Deflection angle: [055.8092 (d)]
Distance: 122.140'
Easting: 2181528.3160'
Northing: 295382.9419'
Side 5: Line
Direction: S72° 48' 37.00"W
Angle: [-107.3075 (d)]
Deflection angle: [072.4925 (d)]
Distance: 119.700'
Easting: 2181412.9628'
Northing: 295347.5658'
Side 6: Line
Direction: N54° 23' 17.00"W
Angle: [-127.1983 (d)]
Deflection angle: [052.8017 (d)]
Distance: 75.200'
Easting: 2181352.8286'
Northing: 295391.3542'
Side 7: Line
Direction: N90° 00' 00.00"W
Angle: [144.3881 (d)]
Deflection angle: [-035.6119 (d)]
Distance: 79.930'
Easting: 2181272.8868'
Northing: 295391.3542'
Side 8: Line
Direction: N32° 11' 11.00"W
Angle: [-142.1864 (d)]
Deflection angle: [037.8136 (d)]
Distance: 61.190'
Easting: 2181224.5561'
Northing: 295428.8694'



△ DENOTES FOUND MONUMENT AS NOTED
● DENOTES FOUND CORNER AS NOTED
□ DENOTES SET CORNER IN CONCRETE WITH 1/2" BAR LS 492

NOTES:

1. All measurements are shown in feet.
2. ROW and existing private ways are shown per surrounding plats.
3. Basis of Bearing: CEDAR LAKES ESTATES PHASE 2

Description:

A tract of land in Cedar Lakes Estates Phase I and Phase II,a subdivision of land in the City of Basehor, Leavenworth County, Kansas being more particularly described as follows:

Beginning at the Southeast Corner of Lot 100 of said Phase II; thence North 24°43' 18" East, along the Easterly Line of said Lot 100 to the Northeast corner of said Lot 100; thence on a curve to the left, whose chord bearing is North 69°08'23" East, having a radius of 60.00 feet and an arc length of 72.54, to the Southwest corner of Lot 98 of said Phase II; thence South 55°29'29" East, along the Southerly line of said Lot 98, a distance of 199.84 to a point on the East line of the Southwest Quarter of Section 11-11-22; thence South 00°19'04" West, along said East line, a distance of 122.14 feet; thence South 72°48'37" West, a distance of 119.70 feet; thence North 54°23'17" West, a distance of 75.20 feet; thence South 90°00'00" West, a distance of 79.93 feet; thence North 32°11'11" West, a distance of 61.19 feet to the Point of Beginning.

Contains: 53,757.49 square feet

LOCATION MAP
SECTION 11-11-22

This is to certify on this 15th day of APRIL, 2016 this Field Survey was completed on the ground by me or under my direct supervision

SIGNED:
TRUMAN J. STORY, PS 492

DATE:

Date of Preparation:
MAY 31, 2016

CITY APPROVALS:

Approved by the Planning Commission of the City of Basehor, Leavenworth County, Kansas, this ___ day of _____, 20__.

Jon Gallion, Chairman — Connie Leggett, Secretary

Approved by the Governing Body of the City of Basehor, Leavenworth County, Kansas, this ___ day of _____, 20__.

David K. Breuer, Mayor — Katherine Renn, City Clerk

PLANNING AND ZONING APPROVAL:

The City PLANNING AND ZONING plat review is only for general conformance with the subdivision regulations as adopted by the City of Basehor. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

PLANNING AND ZONING DIRECTOR — Date

COUNTY APPROVALS:

REGISTER OF DEED CERTIFICATE:
Filed for Record on this ___ day of _____, 20__ at _____ o'clock _M, in Book _____, Page _____ in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds

COUNTY SURVEYOR:
I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

Leavenworth County Surveyor, Wayne Malnicof, P.S. — Date

Disclaimer: Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the applicant, or any agent of the applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

EXECUTION:
The undersigned proprietor states that all taxes of the above described tract of land have been paid in testimony whereof, _____ has caused this instrument to be executed, this ___ day of _____, 20__.

By: LOREN GOTSCHALK, MEMBER

ACKNOWLEDGEMENT:
State of Kansas)
) ss.
County of Leavenworth)

Be it remembered that on this ___ day of _____, 20__, before me, the undersigned, a Notary Public in and for said County and State, came Loren Gotschalk, who is personally known to me to be the same person who owns the property shown therein, and such duly acknowledged the execution plat being made with their desire and do dedicate the areas shown on this plat to the perpetual use of the public for specific purposes stated therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public — My commission Expires:

Print Name

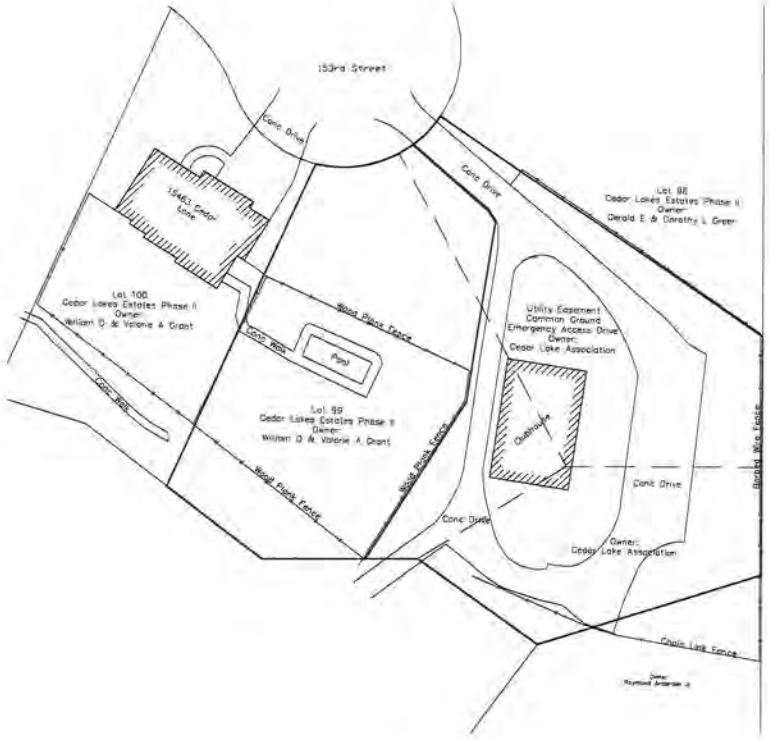
Prepared For:
CEDAR LAKE ASSOCIATION
PO BOX 254
BASEHOR, KANSAS 66007

REPLAT CEDAR LAKES ESTATES PHASE 2

LOT 99 AND COMMON GROUND

ATLAS SURVEYORS, LLC.
TAKING CARE OF BUSINESS
207 South 5th Street | Leavenworth, Kansas 66048 | 913.682.8600 | 913.682.8606 (F)

EXISTING CONDITIONS
REPLAT OF CEDAR LAKE ESTATES PHASE 2
LOT 99 AND COMMON GROUND/EMERGENCY ACCESS DRIVE, CEDAR LAKES ESTATES PHASE 2, AND PART OF TRACT A, CEDAR LAKES ESTATES PHASE 1, IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS



Description:

A tract of land in Cedar Lakes Estates Phase I and Phase II,a subdivision of land in the City of Basehor, Leavenworth County, Kansas being more particularly described as follows:

Beginning at the Southeast Corner of Lot 100 of said Phase II; thence North 24°43'18" East, along the Easterly Line of said Lot 100 to the Northeast corner of said Lot 100; thence on a curve to the left, whose chord bearing is North 69°08'23" East, having a radius of 60.00 feet and an arc length of 72.54, to the Southwest corner of Lot 98 of said Phase II; thence South 55°29'29" East, along the Southerly line of said Lot 98, a distance of 199.84 to a point on the East line of the Southwest Quarter of Section 11-11-22; thence South 00°19'04" West, along said East line, a distance of 122.14 feet; thence South 72°48'37" West, a distance of 119.70 feet; thence North 54°23'17" West, a distance of 75.20 feet; thence South 90°00'00" West, a distance of 79.93 feet; thence North 52°11'11" West, a distance of 61.19 feet to the Point of Beginning.

Contains: 33,757.49 square feet

LOCATION MAP
SECTION 11-11-22

Prepared For
CEDAR LAKE ASSOCIATION
PO BOX 254
BASEHOR, KANSAS 66007

EXISTING CONDITIONS CEDAR LAKES ESTATES PHASE 2
LOT 99 AND COMMON GROUND

ATLAS SURVEYORS, LLC.
TAKING CARE OF YOUR NEEDS
207 South 5th Street | Leavenworth, Kansas 66048 | 913.682.8600 | 913.682.8606 (F)

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 7

Topic: Final Development Plan for the Basehor Town Center (Robert Perez property).

Action Requested: Approve Ordinance 676, Final Development Plan of the Basehor Town Center (Robert Perez property) with the stated stipulations.

Narrative: The applicant is requesting approval of the Final Development Plan for the Single Family Residential Area abutting 147th Street located in the southeast corner of the Basehor Town Center slated for Type 'C' Homes, listed as Phase 1 on the previously approved revised plan encompassing approximately 40.23 acres of the existing Basehor Town Center Development Plan, of which the Perez's own 20 acres, for the purposes of constructing two (2) single family residential dwellings. The Final Development Plan as presented is in compliance with the approved Preliminary Development Plan.

Presented by: Mark Lee, Planning and Zoning Director

Administration Recommendation: Approve Ordinance 676, Final Development Plan of the Basehor Town Center (Robert Perez property) with the stated stipulations.

Attachments:
Ordinance 676
Staff Report
Reduced copy of FDP

Projector needed for this item? No

ORDINANCE NO. 676

AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR BASEHOR TOWN CENTER, GENERALLY LOCATED BETWEEN 147TH STREET AND 155TH STREET (14700-14800 BLOCKS), BASEHOR, LEAVENWORTH COUNTY, KANSAS

WHEREAS, on May 18th, 2016, the City Council approved a Revised Preliminary Development Plan for Basehor Town Center, generally located between 147th Street and 155th Street (14700-14800 blocks) with the following stipulations:

1. The applicant shall be responsible for:

    a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.

    b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.

3. All sidewalks shall be installed as per street construction standards.

4. The conditions and stipulations of the preliminary development plan approval remain in full force and effect, except to the extent expressly modified herein.

5. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.

6. A Final Plan and Preliminary and Final Plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The Final Plat shall be recorded with the Leavenworth County Register of Deeds.
7. The developer/owner shall plat, at a minimum, Lots 1, 43, 44, 45, and Tract X, as well as all required right-of-way for the future widening of 147th Street and the future "Street B".

8. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor; and

WHEREAS, the applicant submitted a Final Development Plan to the City which was in substantial compliance with the approved Preliminary Development Plan; and

WHEREAS, on July 12th, 2016, the Planning Commission reviewed and recommended approval of the Final Development Plan with the following stipulations:

1. The applicant shall be responsible for:

   a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.

   b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.

3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.

4. All sidewalks shall be installed as per street construction standards.

5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.

6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.

7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.

8. A Final Plan and Preliminary and Final Plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The Final Plat shall be recorded with the Leavenworth County Register of Deeds.

9. The developer/owner shall plat, at a minimum, Lots 1, 43, 44, 45, and Tract X, as well as all required right-of-way for the future widening of 147th Street and the future "Street B".

10. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at its regularly scheduled meeting on July 20th, 2016, in accordance with the Basehor Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That the Governing Body hereby approves the Final Development Plan for Basehor Town Center, generally located between 147th and 155th Streets (14700-14800 blocks) with the following stipulations:

1. The applicant shall be responsible for:

a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.

b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

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3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.

4. All sidewalks shall be installed as per street construction standards.

5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.

6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.

7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.

8. A Preliminary and Final Plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The Final Plat shall be recorded with the Leavenworth County Register of Deeds.

9. The developer/owner shall plat, at a minimum, Lots 1, 43, 44, 45, and Tract X, as well as all required right-of-way for the future widening of 147th Street and the future "Street B".

10. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

Section 2: That this ordinance shall take effect and be in force from an after its publication in the official newspaper of the City of Basehor, Kansas as provided by law.

PASSED by the City Council this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

SEAL

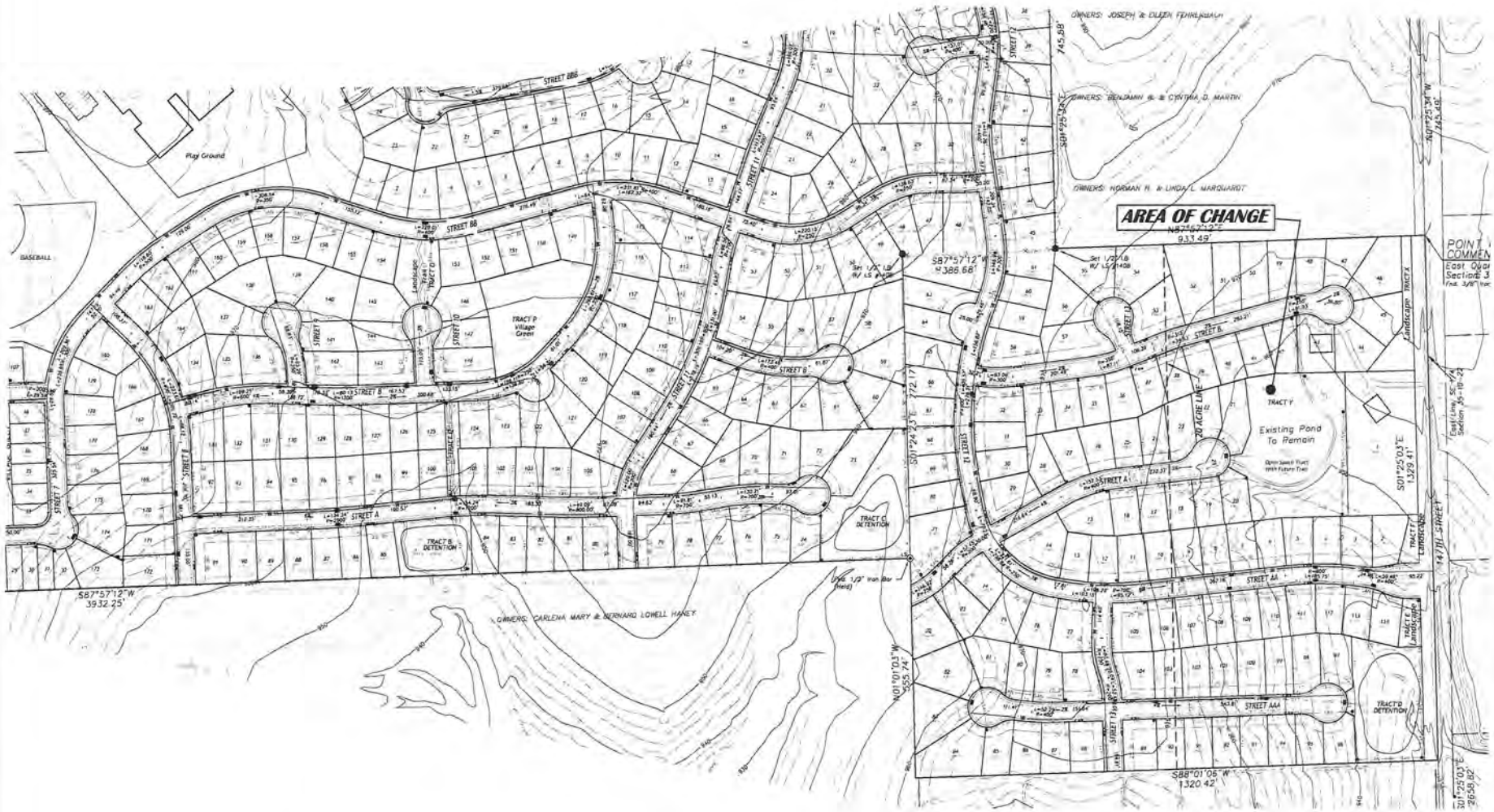
_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney



SINGLE FAMILY RESIDENTIAL SUMMARY

TYPE OF HOME	PHASE	AREA (Acres)	# OF LOTS	DENSITY	MIN. GROUNDFLOOR CLASSIFICATION	FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK
A	1	12.07	30	2.49	D	25'	10'	30'
A	2	27.16	71	2.61	D	25'	10'	30'
B	1	58.82	179	3.04	E	25'	8'	30'
B	2	15.91	46	2.89	E	25'	8'	30'
C	1	40.23	114	2.83	F	25'	7'	30'
C	2	25.00	77	3.08	F	25'	7'	30'

LEGEND

- Proposed Storm Sewer
- Proposed Sanitary Sewer
- Existing Sanitary Sewer
- Proposed Bike/Hike Trail
- Proposed Sidewalk

Prepared By:

NAPIER ENGINEERING, LLC
237 S. 5TH STREET
LEAVENWORTH, KS 66048
913.375.0482
BRETT@NAPIERENG.COM

Oppermann LandDesign, LLC
Land Planning Landscape Architecture
913.894.9407 (Fax) 913.894.9101
18990 West 127th Street • Olathe, Kansas • 66062

NO.	BY	DATE	REVISION
2	PAD	5/20/2016	Revised Final Plan
1	PAD	5/2/2016	Revised Preliminary Plan

SHEET
C5

06-1275
BASEHOR TOWN CENTER
FINAL DEVELOPMENT PLANS

Prepared For:
ROBERT A. AND SUSAN J. PEREZ
2131 ROCK CREEK DRIVE
TONGANOXIE, KANSAS 66086
913/749-2144

SINGLE-FAMILY LAYOUT

1"=100'
0 50 100'

BRETT A. NAPIER
LICENSED
17507
8/10/16
KANSAS
PROFESSIONAL ENGINEER

BASEHOR TOWN CENTER – REQUEST FOR APPROVAL OF A FINAL DEVELOPMENT PLAN FOR BASEHOR TOWN CENTER WITH AN APPROXIMATE LOCATION BETWEEN 155TH STREET AND 147TH STREET (14700-14800 BLOCK).

MEETING DATE: **July 12, 2016**
REPORT WRITTEN: **June 15, 2016**

STAFF RECOMMENDATION:
Staff recommends that the Planning Commission approve the Basehor Town Center (Perez Property) Final Development Plan, with the stipulations stated in the staff report.

APPLICANT:
- The applicant is the Robert and Susan Perez.
- The supporting staff is Napier Engineering, LLC. And Atlas Surveyors, LLC.

REQUEST:
- The applicant is requesting approval of the Final Development Plan for the Single Family Residential Area abutting 147th Street located in the southeast corner of the Basehor Town Center slated for Type 'C' Homes, listed as Phase 1 on the previously approved revised plan encompassing approximately 40.23 acres of the existing Basehor Town Center Development Plan, of which the Perez's own 20 acres, for the purposes of constructing two (2) single family residential dwellings. The applicant is not requesting a zoning change due the property within the revision being "P-R" Planned Residential District.

ZONING:
- The existing preliminary development plan is currently zoned "P-R" Planned Residential District and "MU-1" Mixed Use Neighborhood District. The current zoning of the requested preliminary development plan revision is "P-R" Planned Residential District.

COMPREHENSIVE PLAN/FUTURE LAND USE MAP:
- The Comprehensive Plan designates the existing preliminary development plan as "P-R" Planned Residential District and "R-1" Single Family Residential District. The zoning of the requested preliminary development plan revision is "PR" Planned Residential District.

SURROUNDING ZONING PER THE REVISION REQUEST:
- North "RR-2.5"-Rural Residential (County Zoning District)
- South "R-O" Suburban Residential District
- East "I-2" Heavy Industrial (County Zoning District)
- West "PR" Planned Residential

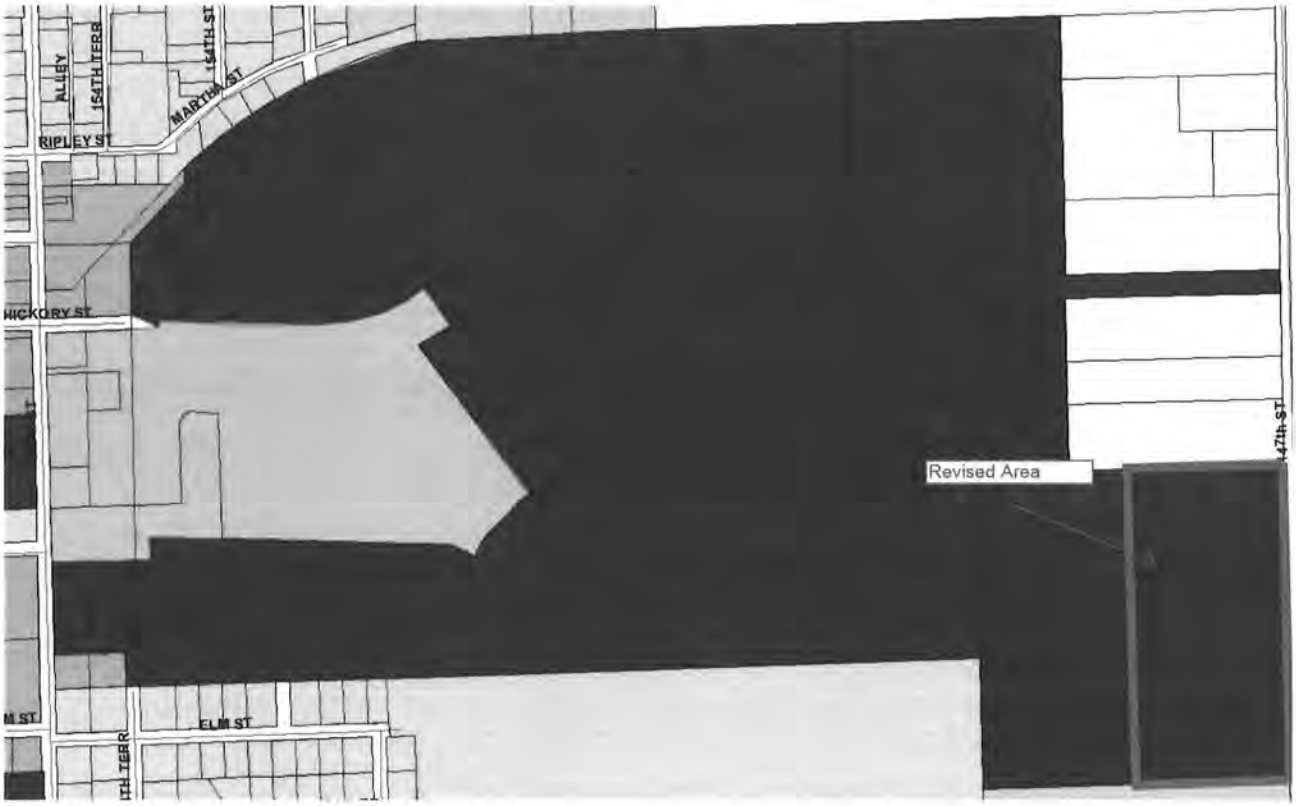
BACKGROUND:
Basehor Town Center Preliminary Development Plan (PDP) and rezoning was approved in September 2007. The approved PDP included low-density single family residential (detached), single family (attached) townhomes, senior housing, commercial/mixed-use and public land for

such uses as City Hall, Police Station, Community Center and recreational uses. To date only two phases have been or are being developed – Basehor Intermediate School and Legacy Senior Living.

The following pertains to the 20 acres that Mr. & Mrs. Perez own

The original area of the PDP was to be developed into +/- fifty-eight (58) single family dwelling lots. Mr. Robert Perez requested to reduce the number of single family dwelling lots to forty-nine (49) and was approved for such revisions via Planning Commission and City Council, Mr. Perez is not intending to develop the ground rapidly, in fact Mr. Perez's intent is to construct two single family residences; one for himself and one for his parents, at this time. Over the past several months, city staff; including the City Administrator and City Attorney have met with Mr. and Mrs. Perez regarding the requested changes they have asked for, several items came into play, some of these items have been addressed in an agreement approved by City Council via Resolution 2016-04 during the March 16th regular meeting. A change in zoning is not required due to the proposed use staying the same.

The current zoning configuration:



PRELIMINARY DEVELOPMENT PLAN:

- Article 7, Section 5 of the Basehor Zoning Ordinance states that: *the purpose of the Planned Residential District is intended to provide for elements of flexibility in design, placement, arrangement, bulk, and other consideration; to provide a framework within which the buildings and uses in the planned district may be interrelated and compatible with the residential character of these developments areas and adjacent developments; and to*

maintain the desired overall intensity, efficiency in the provision of public facilities and services, and to provide protection for existing development while allowing new construction in accordance with current development and performance standards and density objectives.

- The following is provided within the proposed Final Development Plan:
  - At the current time, the only proposed elements of the revised FDP will be the construction of two single family dwellings. Through the meetings and conversations that city staff and Mr. Perez have had, if the FDP is approved then the plat shall be limited to a minimum number of lots previously agreed to by Planning Commission and City Council.
  - .

The following pertains to all area of the Type 'C' Homes

Density:

- The previously approved Preliminary Development Plan – Type 'C' Homes has a density of 2.83 units per acre (114 total lots) and coincides with the proposed Final Development Plan.
- A comparable density is "R-1" Single-Family Residential District with a density maximum of 3.5 units per acre.

Bulk Regulations:

- The following table outlines the required bulk regulations per Article 7, Section 5 (c) of the Basehor Zoning Ordinance and what is provided with the application:

Criteria	Required	Provided
Front Yard Setback	35'	25'*
Side Yard Setback	12'	7'*
Rear Yard Setback	30'	30'
Minimum District Size	2 Acres	40.23 Acres
Minimum Open Space %	25%	+/-35%
Height Limit Single Family	35'	35'

*A modification was previously requested and approved as part of the initial preliminary development plan.

The yard regulations have been modified in accordance with Article 7, Section 5 (c) of the Basehor Zoning Ordinance. The reduced setbacks will not have any negative impacts to future development.

Traffic:

- Access to the development will be from 147th Street via a private driveway and the future street labeled as Street AA.

Landscaping:

- The following table outlines the required landscaping per Article 21, Section 6 of the Basehor Zoning Ordinance and what is provided with the application:

Criteria	Required	Provided
Base Trees (16 trees per acre of usable open space)	42	58
Street Trees (1 every 50')	30.5 ea. side	45 ea. side

Usable Open Space of the 20 acre Perez property:

- 25% of the site shall be maintained as usable open space per Article 7, Section 5 (c) of the Basehor Zoning Ordinance. The revised area includes +/- 4 acres (not including future road right-of-way).

Drainage:

- The Final Development Plan provides a detention basin. The proposed runoff from the site will be detained back to a discharge rate equal to or less than the pre-existing runoff in the 1-year, 10-year, and 100-year storm event. The location of the detention basin is near 147th Street. Mr. Perez has also determined that the existing pond shall remain and become open space and include a walking trial all of which will in time be dedicated to the Homeowners Association, this will also be taken into account as a retention area for storm water run-off.

Park Fees:

- The developer will be required to pay $200 per residential unit for park fees, as required by the City's Subdivision Regulations. City Staff has decided to allow Mr. Perez to final plat a minimum number of lots in order to proceed with his development plan. The number of lots that Mr. Perez will be required to plat has been set at four (4) and a landscape Tract, listed as 'X'. The park fees associated with the entire Perez development area will be approximately $22,800 and shall be paid at the time of development or during the building permit issuance phase per the Subdivision Regulations.

Transportation Excise Tax:

- Per Ordinance 387, the developer will be required to pay a transportation excise tax. The transportation excise tax of $0.09 per square is taxed for platting real property up to $2,600.00. The proposed plat is 102,131 square feet. $0.09 * 102,131 = $9,191.79. $2,297.95 shall be collected at the time of building permit issuance.

STAFF RECOMMENDATION:

Staff recommends the approval of the Final Development Plan for the Basehor Town Center, Robert Perez property, with the following stipulations:

1. The applicant shall be responsible for:

a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.
b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.
3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.
4. All sidewalks shall be installed as per street construction standards.
5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.
6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.
7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.
8. A Final Plan and Preliminary and Final Plat shall be submitted by the developer/owner and approved by the City prior to a building permit being issued. The Final Plat shall be recorded with the Leavenworth County Register of Deeds.
9. The developer/owner shall plat, at a minimum, Lots 1, 43, 44, 45, and Tract X, as well as all required right-of-way for the future widening of 147th Street and the future "Street B".
10. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 8

Topic: Final Plat of Basehor Town Center Phase 1 (Robert Perez property).

Action Requested: Approve Ordinance 677, Final Plat of Basehor Town Center Phase 1(Robert Perez property) with the stated stipulations.

Narrative: The applicant is requesting approval of the Final Plat of Phase 1 for the listed lots located in the Single Family Residential Area abutting 147th Street located in the southeast corner of the Basehor Town Center slated for Type 'C' Homes. Mr. Perez is being required by the city to plat a minimum of four (4) lots along with Tract X.

On July 12, 2016, the Planning Commission conducted a public hearing and approved the final plat with the stipulations brought forth in the staff report. There were no individuals present to speak in favor, nor against, other than the applicant, Mr. Perez.

Presented by: Mark Lee, Planning and Zoning Director

Administration Recommendation: Approve Ordinance 677, Final Plat of Basehor Town Center Phase 1 with the stipulations stated in the staff report.

Attachments:
Ordinance 677
Staff Report
Reduced copy of Final Plat

Projector needed for this item? No

ORDINANCE NO. 677

AN ORDINANCE APPROVING A SHORT FORM FINAL PLAT FOR LOTS 1, 43, 44, 45 AND TRACT X OF THE BASEHOR TOWN CENTER SUBDIVISION, GENERALLY LOCATED BETWEEN 155th STREET AND 147th STREET (14700-14800 BLOCK), BASEHOR, LEAVENWORTH COUNTY, KANSAS.

WHEREAS, an application was submitted to the City for a Short Form Final plat for Lots 1, 43, 44, 45 and Tract X of the Basehor Town Center Subdivision; and

WHEREAS, in accordance with Section 2-104 of the Basehor Subdivision Regulations, the Planning Commission held a public hearing and reviewed the application for the Short Form Final Plat on July 12th , 2016; and

WHEREAS, the Planning Commission recommended approval of the application for the Short Form Final Plat with the following stipulations:

1. The applicant shall be responsible for:
   a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.
   b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.

3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.

4. All sidewalks shall be installed as per street construction standards.

5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.

6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.

7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.

8. The Final Plat shall be recorded with the Leavenworth County Register of Deeds prior to issuance of building permits.

9. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body at it's regularly scheduled meeting on July 20th, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That the Governing Body hereby approves the Short Form Final Plat for Lots 1, 43, 44, 45 and Tract X of the Basehor Town Center Subdivision with the following stipulations:

1. The applicant shall be responsible for:
   a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.
   b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.

2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.

3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.

4. All sidewalks shall be installed as per City of Basehor street construction standards.

5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer prior to issuance of building permits.

6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.

7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.

8. The Final Plat shall be recorded with the Leavenworth County Register of Deeds prior to issuance of building permits.

9. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor

Section 2: That this ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Basehor, Kansas as provided by law.

PASSED by the City Council this 20th day of July, 2016.

APPROVED by the Mayor this 20th day of July, 2016.

SEAL

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney

A PLAT OF BASEHOR TOWN CENTER PHASE 1; LOTS 1, 43, 44, 45 AND TRACT X (SHORT-FORM PLAT).

REQUEST FOR APPROVAL OF A SHORT-FORM PLAT –
located within the Basehor Town Center Development Plan with an approximate location of between 155th Street and 147th Street (14700-14800 Block)

MEETING DATE: **July 12, 2016**
REPORT WRITTEN: **June 20, 2016**

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve the Short-Form Plat, with staff recommendations stated in this report.

APPLICANT:
- The applicant is the Robert and Susan Perez.
- The supporting staff is Napier Engineering, LLC. And Atlas Surveyors, LLC.

REQUEST:
- The applicant is requesting approval to plat lots 1, 43, 44, 45 and Tract X as required by the City of Basehor per Mr. and Mrs. Robert Perez's stipulations listed in the approved Final Development Plan and Subdivision Regulations.

ZONING:
- The property is currently zoned "PR" Planned Residential.

SURROUNDING ZONING:
- North "RR-2.5"-Rural Residential (County Zoning District)
- South "R-O" Suburban Residential District
- East "I-2" Heavy Industrial (County Zoning District)
- West "PR" Planned Residential

BACKGROUND:
Basehor Town Center Preliminary Development Plan (PDP) and rezoning was approved in September 2007. The approved PDP included low-density single family residential (detached), single family (attached) townhomes, senior housing, commercial/mixed-use and public land for such uses as City Hall, Police Station, Community Center and recreational uses. To date only two phases have been or are being developed – Basehor Intermediate School and Legacy Senior Living.

A short-form plat procedure is being utilized for this application. The purpose for a short-form plat is to provide a means of approving a subdivision of land that contains four (4) lots or less. Short-form plat shall serve as the final plat of the subdivision. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval; provided, that the public hearing requirements outlined in preliminary plats are met.

Traffic Impact
Access to the development will be from 147th Street via a private driveway and future public roadway..

Stormwater Management
The Final Development Plan provides a detention basin. The proposed runoff from the site will be detained back to a discharge rate equal to or less than the pre-existing runoff in the 1-year, 10-year, and 100-year storm event. The location of the detention basin is near 147th Street. Mr. Perez has also determined that the existing pond shall remain and become open space and include a walking trial all of which will in time be dedicated to the Homeowners Association, this will also be taken into account as a retention area for storm water run-off.

Transportation Excise Tax:
Per Ordinance 387, the developer will be required to pay a transportation excise tax. The transportation excise tax of $0.09 per square is taxed for platting real property up to $2,600.00 per individual lot. The proposed plat is a total of 102,131 square feet.

$0.09 * 102,131 = $9,191.79 / 4 lots .

$2,297.95 shall be collected at the time of building permit issuance.

Parkland Fee:
The developer will be required to pay $200 per residential unit for park fees, as required by the City's Subdivision Regulations. City Staff has decided to allow Mr. Perez to final plat a minimum number of lots in order to proceed with his development plan. The number of lots that Mr. Perez will be required to plat has been set at four (4) and a landscape Tract, listed as 'X'. The park fees associated with the entire Perez development area will be approximately $22,800 and shall be paid at the time of development or during the building permit issuance phase per the Subdivision Regulations.

Utilities
Staff has informed all utility companies of the application for the proposed final plat. The reported utility companies will be extending utilities from existing facilities abutting the property along 147th Street without upgrades to the network utilities. Extended utilities will be placed in the proposed easements within the proposed final plat.

Subdivision Regulations Requirements
The items to be submitted with and included on the final plat per the Subdivision Regulations requirements and any appropriate comments from the applicant are provided in the included checklist.

STAFF RECOMMENDATION:

Staff recommends approval of the Basehor Town Center Phase 1 Plat application, with the following stipulations:

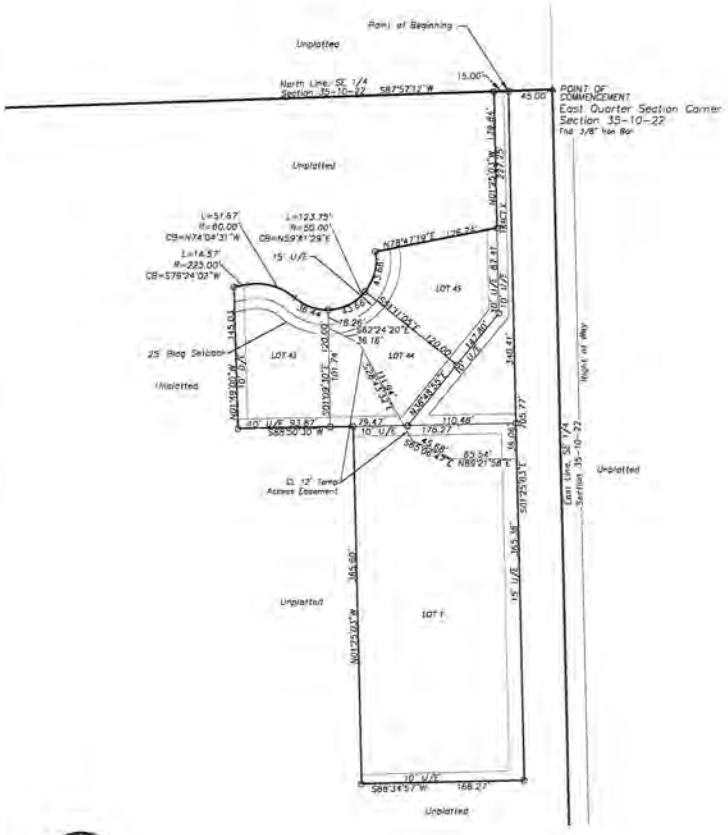
Staff recommends the approval of the Basehor Town Center Phase 1, Final Plat, with the following stipulations:

1. The applicant shall be responsible for:
    a) Park Impact Fee-per city ordinance the applicant shall be required to pay a park impact fee (Parkland Fee) on all developed lots at time of building permit issuance. This fee shall be $200.00 per developed lot or a total of $800.00.
    b) Transportation Improvements Impact Fee- a total of $9,191.79 in excise tax shall be paid in full or $2,297.95 per platted lot shall be paid at the time of building permit issuance.
2. The applicant shall dedicate 25 feet of right of way along 147th Street for the entirety of the eastern property line for the future widening of 147th Street and 50 feet of right of way for "Street B" with the Final Plat.
3. Utility Easements located along all roadways and/or front property lines shall be a minimum of fifteen (15') feet per utility company plan reviews.
4. All sidewalks shall be installed as per street construction standards.
5. A Subdivision Improvement Agreement shall be prepared and approved by City Council, coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds by the owner/developer.
6. The conditions and stipulations of the preliminary plan approval remain in full force and effect, except to the extent expressly modified herein.
7. The developer/owner shall abide by that certain Development Agreement between the developer/owner and the City dated March 21, 2016.
8. The Final Plat shall be recorded with the Leavenworth County Register of Deeds prior to issuance of building permits.
9. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all of the ordinances of the City of Basehor.

Mapcheck 1: Basehor Town Center
Closure Summary
Precision: 1 part in: 16286.785'
Error distance: 0.010'
Error direction: N76° 52' 38.40"E
Area: 109010.95 Sq. Ft.
Square area: 1.5697576 447
Perimeter: 1971.770'
Point of Beginning
Easting: 183060.7189'
Northing: 26037.7568'
Side 1: Line
Direction: S01° 25' 03.00"E
Angle: [-001.4178 (d)]
Deflection angle: [178.5825 (d)]
Distance: 765.770'
Easting: 183078.1779'
Northing: 25332.2028'
Side 2: Line
Direction: S88° 34' 57.00"W
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 188.270'
Easting: 182911.9588'
Northing: 25328.0897'
Side 3: Line
Direction: N01° 25' 03.00"W
Angle: [-090.0000 (d)]
Deflection angle: [090.0000 (d)]
Distance: 365.600'
Easting: 182902.9148'
Northing: 25693.5778'
Side 4: Line
Direction: S88° 30' 30.00"W
Angle: [090.2592 (d)]
Deflection angle: [-089.7408 (d)]
Distance: 117.530'
Easting: 182785.4086'
Northing: 25691.2019'
Side 5: Line
Direction: N01° 49' 00.00"W
Angle: [-090.6583 (d)]
Deflection angle: [089.3417 (d)]
Distance: 145.530'
Easting: 182780.8111'
Northing: 25835.1590'
Side 6: Curve
Curve direction: Clockwise
Radius: 225.000'
Arc length: 14.570'
Delta angle: [003.7103 (d)]
Tangent: [7.285']
Chord direction: N79° 24' 02.00"E
Chord angle: [-098.7828 (d)]
Deflection angle: [081.2172 (d)]
Chord distance: [14.567']
Easting: 182795.1306'
Northing: 25838.8385'
Side 7: Curve
Curve direction: Clockwise
Radius: 60.000'
Arc length: 51.670'
Delta angle: [049.3412 (d)]
Tangent: [27.560']
Chord direction: S74° 04' 31.00"E
Chord angle: [-153.3309 (d)]
Deflection angle: [024.6691 (d)]
Chord distance: [50.088']
Easting: 182843.2559'
Northing: 25823.0826'
Side 8: Curve
Curve direction: Counter-clockwise
Radius: 50.000'
Arc length: 123.750'
Delta angle: [141.8071 (d)]
Tangent: [144.420']
Chord direction: N58° 41' 29.00"E
Chord angle: [109.0961 (d)]
Deflection angle: [-070.9039 (d)]
Chord distance: [94.497']
Easting: 182924.8769'
Northing: 25872.7842'
Side 9: Line
Direction: N78° 49' 19.00"E
Angle: [-089.9393 (d)]
Deflection angle: [090.0007 (d)]
Distance: 126.740'
Easting: 183049.1983'
Northing: 25897.4263'
Side 10: Line
Direction: N01° 25' 04.00"W
Angle: [099.7936 (d)]
Deflection angle: [-080.2064 (d)]
Distance: 139.840'
Easting: 183045.7383'
Northing: 26037.2234'
Side 11: Line
Direction: N87° 57' 12.00"E
Angle: [-090.8769 (d)]
Deflection angle: [089.1231 (d)]
Distance: 15.000'
Easting: 183060.7288'
Northing: 26037.7591'

FINAL PLAT
BASEHOR TOWN CENTER PHASE 1

A TRACT OF LAND IN THE EAST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 10 RANGE 22, IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS



Description:

A tract of land in the East half of the Northeast Quarter of the Southeast Quarter of Section 35, Township 10, Range 22 in the City of Basehor, Leavenworth County, Kansas being more particularly described as follows:

Commencing at the East Quarter Corner of said Section; thence South 87°57'12" West, along the North line of the Southeast Quarter of said Section, a distance of 45.00 feet to the point of beginning; thence South 01°25'03" East, along the West right of way line of 147th Street, a distance of 705.77 feet; thence South 88°34'57" West, a distance of 166.27 feet; thence North 01°25'03" West, a distance of 365.60'; thence South 88°30'30" West, a distance of 93.87 feet; thence North 01°49'00" West, a distance of 145.03 feet; thence on a curve to the right having a radius of 225.00 feet, whose chord bearing is S79°24'02" West, and an arc length of 14.57 feet; thence on a curve to the right having a radius of 60.00 feet, whose chord bearing is North 74°04'31" West, and an arc length of 51.67 feet; thence on a curve to the left having a radius of 50.00 feet, whose chord bearing is North 59°41'29" East, and an arc length of 123.75 feet; thence North 78°49'19" East, a distance of 126.74 feet; thence North 01°25'03" West, a distance of 139.84 feet to a point on the North line of said Southeast Quarter; thence North 87°57'12" East along said North line, a distance of 15.00 feet to the point of beginning.

LOCATION MAP
SECTION 35-10-22
NOT TO SCALE

This is to certify on this 15th day of APRIL, 2016 this field survey was completed on the ground by me or under my direct supervision.

SIGNED: TRUMAN J. STORY, PS 492 DATE:

Date of Preparation: JUNE 6, 2016

CITY APPROVALS:

Approved by the Planning Commission of the City of Basehor, Leavenworth County, Kansas, this ___ day of _____, 20__.

Jon Gallion, Chairman Connie Leggett, Secretary

Approved by the Governing Body of the City of Basehor, Leavenworth County, Kansas, this ____ day of _____, 20__.

David K. Breuer, Mayor Katherine Renn, City Clerk

PLANNING AND ZONING APPROVAL:

The City PLANNING AND ZONING plat review is only for general conformance with the subdivision regulations as adopted by the City of Basehor. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

CITY ENGINEER Date

COUNTY APPROVALS:

REGISTER OF DEED CERTIFICATE:
Filed for Record on this ___ day of _____, 20__ at _____ o'clock _M. in Book _____, Page _____ in the Office of the Register of Deeds of Leavenworth County, Kansas.

Register of Deeds

COUNTY SURVEYOR:
I hereby certify this plat meets the requirements of K.S.A.-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

Leavenworth County Surveyor, Wayne Malnicof, P.S. Date

Disclaimer: Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the applicant, or any agent of the applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

EXECUTION:
The undersigned proprietor states that all taxes of the above described tract of land have been paid in testimony whereof, _____ has caused this instrument to be executed, this _____ day of _____, 20__.

By: ROBERT PEREZ

ACKNOWLEDGEMENT:
State of Kansas)
) ss.
County of Leavenworth)

Be it remembered that on this _____ day of _____, 20__, before me, the undersigned, a Notary Public in and for said County and State, came Robert Perez, who is personally known to me to be the same person who owns the property shown therein, and such duly acknowledged the execution plat being made with their desire and do dedicate the areas shown on this plat to the perpetual use of the public for specific purposes stated therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public My commission Expires:_____

Print Name

Prepared For:

ROBERT PEREZ
2131 ROCK CREEK DRIVE
TONGANOXIE, KS 66086

△ DENOTES FOUND MONUMENT AS NOTED
● DENOTES FOUND CORNER AS NOTED
○ DENOTES SET CORNER IN CONCRETE WITH 1/2" BAR LS 492

NOTES:

1. All measurements are shown in feet
2. Basis of Bearing: KANSAS STATE PLANE NORTH ZONE
3. Tract X is a landscaping tract that will be maintained by the owner of Lot 1.

FINAL PLAT

BASEHOR TOWN CENTER, PHASE 1

ATLAS SURVEYORS LLC.
207 South 5th Street | Leavenworth, Kansas 66048 | 913.682.8600 | 913.682.8606 (F)

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 9

Topic: Agreement with Atmos Energy Corporation for gas main relocation

Action Requested: Approve Resolution 2016-19 approving and authorizing a gas main relocation with Atmos Gas.

Narrative: As part of the Leavenworth Road Sidewalk Project the relocation of a gas main owned by Atmos Energy Corp. will have to be relocated. Atmos Energy has asked us to enter into an agreement with them allowing for the relocation of the gas main.

Presented by: Gene Myracle, City Superintendent
Lloyd Martley, Chief of Police/City Administrator

Administration Recommendation: Approve Resolution 2016-19

Committee Recommendation: N/A

Attachments: Resolution 2016-19
Atmos relocation agreement

Projector needed for this item?

No

RESOLUTION NO. 2016-19

A RESOLUTION APPROVING AND AUTHORIZING A GAS MAIN RELOCATION AGREEMENT WITH ATMOS ENERGY CORPORATION

WHEREAS, the City of Basehor has approved and will construct a public sidewalk and storm improvements project along Leavenworth Road (the "Project"); and

WHEREAS, the Project will require the relocation of a gas main owned by Atmos Energy Corporation; and

WHEREAS, the City of Basehor and Atmos Energy Corporation desire to enter into that certain Gas Main Relocation Agreement to allow for the relocation of the gas main in conjunction with the Project, attached hereto as Exhibit A.

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

Section 1. That the Governing Body approves and hereby authorizes the Mayor to execute that certain Gas Main Relocation Agreement with Atmos Energy Corporation, attached hereto as Exhibit A.

Section 2. That this resolution shall become effective upon passage.

ADOPTED by the Governing Body this 20th day of July, 2016.

SIGNED by the Mayor this 20th day of July, 2016.

SEAL

_____
David K. Breuer, Mayor

ATTEST:

_____
Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

_____
Shannon M. Marcano, City Attorney

EXHIBIT A

GAS MAIN RELOCATION AGREEMENT

GAS MAIN RELOCATION AGREEMENT

THIS GAS MAIN RELOCATION AGREEMENT, made and entered into by and between **ATMOS ENERGY CORPORATION**, hereinafter referred to as "the Company" and the **CITY OF BASEHOR, KANSAS**, a Kansas Municipality, hereinafter referred to as "the City".

WITNESSETH:

WHEREAS, the City proposes a road improvement project described as "PUBLIC SIDEWALK AND STORM IMPROVEMENTS FOR LEAVENWORTH ROAD located in Sections 27 Townships 10S, Ranges 22E.

and

WHEREAS, the Company is the owner of certain natural gas distribution pipelines and facilities located wholly or in part on private easements Bk. 531 Pg. 433 in the Leavenworth County Register of Deeds as shown in the plans of said project, and said pipelines or facilities are not located entirely upon existing road right-of-way.

and

WHEREAS, The Company certifies that its facilities located in or about the area to be traversed by said road improvement are on location where it has right of occupancy either by holding the fee, an easement or other property interest.

NOW, THEREFORE, IT IS AGREED:

1. That the Company will relocate the natural gas pipeline and facilities in accordance with Paragraph 13 of this Agreement, and Exhibit "A" and "B" attached hereto; or, if agreed upon by both parties, in writing, the City will relocate the natural gas pipeline and facilities by use of a Company-approved contractor. Company has the right, at its sole option, to design and inspect any work, along with overseeing the actual construction of the project. The City will submit any Change Orders, including plan revisions, to the Company for written approval, before start of such work.

2 The City will reimburse and pay to the Company all of the Company's cost of construction, relocation and/or inspection of those parts of the natural gas pipeline located within private easement in accordance with the job drawing. It is understood that the estimated total cost to construct, relocate and/or inspect the pipeline is $119,884.42 as shown on Exhibit "B". The percentage of actual costs of construction, relocation and/or inspection to be borne by the City, and payable to Company, is 29% of $, which is $34,426.27 as shown on Exhibit "B". Notwithstanding anything contained herein to the contrary, if the City utilizes a contractor to perform the construction and relocation of the facilities described herein, all costs attributable to the work of such contractor will be borne and paid for by the City regardless of whether such work is done on public or private easement.

3. The Company will develop the cost of the construction, relocation and inspection by using actual and related indirect costs accumulated in accordance with standard work order accounting procedures, and the Company shall keep a detailed and accurate account of all labor, materials, supplies, incidentals, administrative, engineering, inspection, and other necessary cost involved in such work. The City, or any other authorized agent of the City, shall have access at all reasonable times to such Company records. It is understood that these Company records are kept at the Company's divisional office located in Denver, CO and all costs incurred by the City related to the inspection of the project records shall be borne by the City.

4. Upon completion and relocation of the existing pipelines and facilities in accordance with the said job drawing, the City will promptly reimburse the Company for the costs of such upon submitting of an itemized invoice for such cost to the City. Company hereby reserves the right, at its sole discretion, to submit monthly invoices on such projects that span several months.

5. The City grants the Company the right to construct relocated pipelines and facilities within the new road right-of-way as shown on Exhibit "A" as per the Company's franchise agreement with the City and in

accordance with its right of way permit, which shall be subject to the provisions contained in paragraph 6 of this Relocation Agreement.

6. The City will reimburse Company costs, for pipelines and facilities previously located on Company's private easement but now remaining upon street right-of-way under the terms of this agreement, when at any time in the future the City requests that said pipelines and facilities be relocated.

7. The Company will relinquish its exclusive rights-of-way included with the proposed new street right-of-way within the limits of this described street improvement project, provided new private easements are granted, upon reimbursement by the City of the Company's cost of relocation.

8. That the construction involved with the relocation of the Company's facilities shall be completed within a reasonable length of time after the City notifies the Company, in writing, that the alterations may proceed.

9. The Company will maintain its facilities in a manner which will not endanger the vehicular traffic.

10. The Company agrees to indemnify and hold harmless the City against and from any and all liability, loss and expense and shall defend all claims resulting from loss of life or damage or injury to persons or property where causation is directly or indirectly resulting from the work performed by the Company in connection with this project, except those claims resulting from the negligent acts of agents or employees of said City.

11. To the extent permitted by law and subject to the maximum liability and immunity provisions of the Kansas Tort Claims Act, the City agrees to indemnify and hold harmless the Company against and from any and all liability, loss and expense and shall defend all claims resulting from loss of life or damage or injury to persons or property where causation is directly or indirectly resulting from the work performed by the City, except those claims resulting from the negligent acts of agents or employees of the Company.

12. The City will provide at its expense center line or right-of-way and grade staking at minimum intervals of 200 feet for the use of the Company in relocating its facilities.

13. Description of relocation work to be performed:

Install approx. 1500' of 2" HDPE SDR 11 & 14 services to avoid public sidewalk & storm improvements. as shown on Exhibits "A" & "B".

Estimated total cost of work to be performed on mains is $119,884.42 with the percentage of total

actual costs of completed work to be borne by the City is 29% ($34,426.27).

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement on this 11th day of July, 2016.

EXECUTED BY THE CITY THIS
____ day of _____, 2016

BY: _____
Mayor of Basehor, Kansas

ATTEST: _____

EXECUTED BY THE COMPANY THIS
11th day of July, 2016
ATMOS ENERGY CORPORATION

BY: _____
Bart Armstrong - Vice President, Operations

ATTEST: _____

KEVIN D. JONES
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires 1/7/2018

ATMOS energy

July 11th, 2016

Mr. Gene Myracle

City of Basehor Superintendent

City of Basehor, P.O. Box 406, Basehor, Kansas, 66007

Re: Leavenworth Road Public Sidewalk & Storm Improvements

2" Main Relocation & Replacement

Dear Gene

Enclosed is a copy of the legal agreement, Exhibit A, Exhibit B, and an invoice for the above reference project. The total cost of the completed project was $119,884.42 and 29% of the project is reimburseable due to private gas easement Bk. 531 Pg. 422. Therefore, $34,426.27 is due. Please have the payment sent to the address or electronic remittance on the invoice.

If you should have questions or concerns please feel free to contact me at 913-254-6312.

Sincerely,

Atmos Energy

Phil Cellitti

Engineer

Invoice

Public Improvement Project

Re: 060.3143. Leavenworth Road. 06035797

2" Main Relocation & Replacement

See attached Estimate

INVOICE

ATMOS energy

Page:	1
Invoice No:	223450
Invoice Date:	11-JUL-16
Customer No:	92142
Sales Rep:	Phil Cellitti
Payment Terms:	NET30
Due date:	10-AUG-16

CITY OF BASEHOR
P.O. BOX 406
BASEHOR KANSAS 66007

For billing questions, please call: 913-254-6312 **Total Amount Due** 34,426.27 USD

LINE	DESCRIPTION	QUANTITY	UNIT	UNIT AMT	NET AMT
1	Contributions in Aid of Construction	1		34,426.27	34,426.27

TOTAL **34,426.27**

Please include Remittance Slip to ensure timely application of your Payment

CHECK REMITTANCE TO:

ATMOS ENERGY CORP
P. O. BOX 841425
Dallas TX 75284-1425

ELECTRONIC REMITTANCE TO:

ATMOS ENERGY CORP
Bank of America
ACH Routing# 111000012
Bank Wire Routing# 026009593
Acct# 3756617812
Ref: 223450

ATMOS energy

Customer No: 92142
Invoice No: 223450
Total Amount Due: 34,426.27 USD

BILL TO:

CITY OF BASEHOR
P.O. BOX 406
BASEHOR KANSAS 66007

ATMOS energy

Date 3/28/2016
Address 25090 West 110th Terrace
City, State, Zip Code Olathe, Kansas, 66061
Contact Phil Cellitti: Office: (913)-254-6312.

Exhibit B

City	Basehor
Project Title	Public Sidewalk & Storm Improvements for Leavenworth Road
Project #	N/A
Federal Aid No.	N/A
Sections	27
Township	10S
Range	22E

Project Description

Replace ~1480' of existing facilities to avoid public improvement conflicts.

Footage In Private Easement	425
Existing Main Footage In Public ROW	1055
Facilities In Private Atmos Easement	29%
Facilities In Road Right Of Way	71%

Cost Breakdown	Dollar Amount
Contractor Labor:	$ 70,567.96
Warehouse Material:	$ 7,212.04
Store Expense	967.33
Direct Company Labor:	$ 5,691.81
Benefits	$ 2,158.14
Total Direct Charges	**$ 86,597.28**
Overheads (Corp, BU, St)	$ 30,953.16
RHUTTs	$ 2,333.98
Total	**$ 119,884.42**
Reimbursement From State	**$ 34,426.27**
Atmos Expense	**$ 85,458.15**

ATMOS energy

July 13, 2016

City of Basehor
2620 North 115th Street
Basehor, KS 66007

Re: Self-Insurance

To Whom It May Concern:

Please be advised that Atmos Energy is insured for general liability in excess of $1,000,000. The first $1,000,000 is administered through a self-insured risk management program.

Please contact the undersigned if there are questions concerning this matter.

Sincerely,

Jeannette Almanza
Lead Risk Management Analyst
(972) 855-9774
jeannette.almanza@atmosenergy.com

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/13/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh USA Inc.
4400 Comerica Bank Tower
1717 Main Street
Dallas, Texas 75201-7357
Attn: Dallas.certs@marsh.com - Fax# 212-948-0519
100723--ALL-16-17* AL,EL WC

CONTACT NAME:
PHONE (A/C, No, Ext): **FAX (A/C, No):**
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Travelers Property Casualty Co. Of America	25674
INSURER B : Associated Electric & Gas Ins Services Ltd	3190004
INSURER C : The Travelers Indemnity Company	25658
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Atmos Energy Corporation
Attn: Jeannette Almanza
5430 LBJ Freeway, Suite 160
Dallas, TX 75240

COVERAGES **CERTIFICATE NUMBER:** HOU-002764350-02 **REVISION NUMBER:** 4

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	[ ] CLAIMS-MADE [ ] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	[ ] POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
A	AUTOMOBILE LIABILITY			TC2J CAP 152D6628	04/01/2016	04/01/2017	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	[X] ANY AUTO			'Applies to AOS'			BODILY INJURY (Per person)	$
	[ ] ALL OWNED AUTOS [ ] SCHEDULED AUTOS			'(Except Autos registered in:'			BODILY INJURY (Per accident)	$
	[ ] HIRED AUTOS [ ] NON-OWNED AUTOS			'LA, MS, TN & TX)'			PROPERTY DAMAGE (Per accident)	$
								$
B	[ ] UMBRELLA LIAB [ ] OCCUR			XL5036605P	10/01/2015	10/01/2016	EACH OCCURRENCE	$ 2,000,000
	[X] EXCESS LIAB [X] CLAIMS-MADE			'Claims First-Made XS Liab Pol'			AGGREGATE	$ 2,000,000
	[ ] DED [ ] RETENTION $			'Retroactive Date: 10/01/1986'			SIR	$ 1,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N			TC2KUB221T914-7-15	10/01/2015	10/01/2016	[X] PER STATUTE [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [N] N/A						E.L. EACH ACCIDENT	$ 1,000,000
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Where required by written contract, Certificate Holder is an Additional Insured under the Automobile Liability Policy as respects operations of the named insured.

CERTIFICATE HOLDER
City of Basehor
2620 N. 155th St.
Basehor, KS 66007

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
of Marsh USA Inc.
Manashi Mukherjee Manashi Mukherjee

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