

**MINUTES  
SPECIAL MEETING**

**BASEHOR CIYT COUNCIL**

**January 28, 2003**

**4:00 P.M.**

**Basehor City Hall**

**Official Presiding: Mayor Joseph Scherer**

**Members Present: Pres. Julian Espinoza, Joseph Odle, Chris Garcia,  
Burl Gratny and Keith Sifford**

**Staff Present: Mike Hooper, Mary Mogle, Gene Myracle, John Thompson**

**Contract Staff Present: Joe McAfee, John Thompson, John Brann**

The special meeting was called to order at 4:02 p.m. by Mayor Joseph Scherer. Mr. Scherer announced the purpose of the special meeting was to consider awarding the bid for the 24/40 Hwy Interceptor bid. Due to conflict of interest, Mayor Scherer turned the special meeting over to council president Julian Espinoza.

(City Clerk arrived at 4:10 p.m.)

At this time Pres. Espinoza asked the city superintendent to describe his concerns regarding the 24/40 Hwy project. Mr. Myracle itemized the items that he felt should be addressed prior to awarding the bids. Engineer John Brann explained that change orders can be approved as the need arises.

Councilman Odle asked if change orders were needed, would the City of Basehor be required to go back to KDHE; and if so, would the City have to go to the next low bidder, etc. City attorney John Thompson stated if change orders were necessary, all low bidders would have to be considered.

Mr. Myracle stated he felt the project should be rebid to include all the necessary changes. The city attorney reported KDHE preferred the city go back to Wilson Plumbing with a pre-contract with change orders.

SCANNED

2-21-07 *lt*

## **EXECUTIVE SESSION**

The city attorney requested council hold an executive session to discuss legal matters.

A motion was made by J. Espinoza and seconded by K. Sifford to recess into a thirty minute executive session to discuss legal matters. All aye. Motion carried 5-0. (4:55 p.m.)

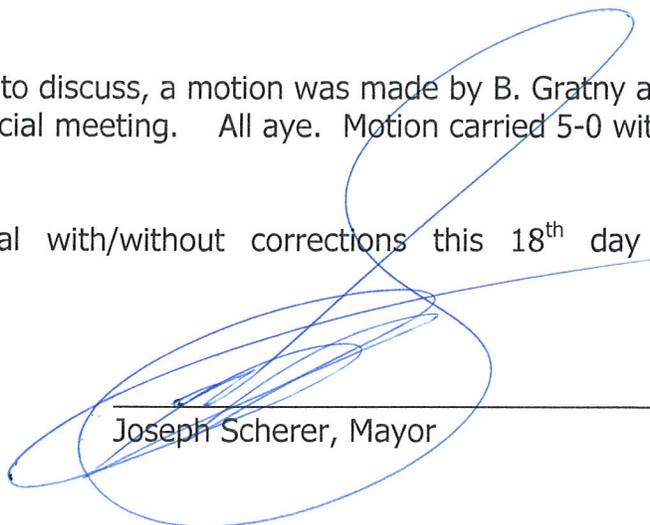
At 5:25 p.m. the meeting was called back to order by Mayor Scherer.

A motion was made by C. Garcia and seconded by J. Odle to accept the Pinehurst Development protest petition and to recognize that it was filed in a timely manner. All aye. Motion carried 5-0.

## **ADJOURNMENT**

There being no further business to discuss, a motion was made by B. Gratny and seconded by J. Odle to adjourn the special meeting. All aye. Motion carried 5-0 with the meeting adjourning at 5:30 p.m.

Submitted for Council approval with/without corrections this 18<sup>th</sup> day of February, 2003.



\_\_\_\_\_  
Joseph Scherer, Mayor

Attest:



\_\_\_\_\_  
Mary A. Mogle, City Clerk

The city engineer was asked if he would recommend using SDR35 pipe for the project. Mr. McAfee stated since the pipe will be 30 ft. below ground in places, it is his opinion that SDR26 would be more suitable for the project.

Mr. Brann stated he felt the bid should be awarded to Wilson Plumbing and change orders be approved as necessary. He stated by awarding the bid to Wilson Plumbing the project would be delayed by approximately 30 days. If the project was rebid, the delay could be as much as 90 days.

Councilman Odle stated he is not looking at what the project costs to construct, but what it will cost to maintain in the future. He felt his city superintendent would know better than any one what products were best suited for the project. Mr. Thompson stated if the contractor runs into "unsuitable" soil, they will be responsible for costs involved in stabilizing the pipe.

Councilman Garcia questioned the city superintendent about the boring the lift station on 163rd St. Mr. Myracle explained he is concerned about the damage that could be done to the structural integrity of the box. He also explained the process it would require to re-route the force main in order to bypass the lift station. He did not feel re-routing the line was a feasible option. Mr. Wilson stated he has performed this operation in the past and described the process.

Mr. Wilson stated if the project is not awarded he cannot honor his current pipe price. He explained his supplier would only hold the price until today (Jan. 28), if the pipe was not shipped before February 1st, the cost would increase by 5-10%.

A motion was made by B. Gratny and seconded by J. Odle to direct the city superintendent to provide an itemized list of changes to the city engineer and project engineer and work with Wilson Plumbing to arrive at a final project cost. All aye. Motion carried 5-0.

At this time, the council president turned the gavel back to the mayor.

Mr. Wilson asked the city attorney if he could legally negotiate with the City since his bid price expired as of today, January 28th. Mr. Thompson explained the pipe is the only product that will have a price change; therefore, all other prices should remain the same unless Wilson Plumbing was not willing to hold to their original price.

A motion was made by J. Odle and seconded by B. Gratny to award the bid contingent on reaching a change order agreement with Wilson Plumbing. All aye. Motion carried 5-0.